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AMERICA'S AWAKENING



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Headore Rooseels-

THEODORE ROOSEVELT

Born, New York City, October 27, 1858.

Graduated Harvard, 1880.

Elected to New York Assembly as Republican, 1882.

Reelected, 1883 and 1884.

Delegate and Chairman of Delegation, National Republican Convention, 1884.

Ranchman in North Dakota, 1884.

Defeated candidate for Mayor of NewYork City, 1886.

National Civil Service Commissioner, 1889.

President Police Board, New York City, 1895.

Assistant Secretary of the Navy, 1897.

Organized First U. S. Volunteer Cavalry ("Rough Riders"), 1898.

Promoted to rank of Colonel for gallantry at battle of Las Guasimas.

Elected Governor of New York, 1898.

Elected Vice-President of the United States, 1900.

Succeeded to the Presidency on the death of President McKinley, 1901.

Elected President, 1904.

"The forces that tend for evil are great and terrible, but the forces of truth and love and courage and honesty and generosity and sympathy are also stronger than ever before."

THEOLOGICE MODELETT

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America's Awakening

THE TRIUMPH OF RIGHTEOUSNESS IN HIGH PLACES

PHILIP LORING ALLEN



New York Chicago Toronto
Fleming H. Revell Company
London and Edinburgh

Pearlman Memorial Library Central Bible College Springfield, Missouri

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PREFACE

HE note of pessimism has been sounded during the last few years by many of the leaders in American life and thought. Clergymen, educators, publicists, in considering social, financial and political problems have been fairly appalled by the disclosures made in regard to breaches of sacred trust, the worship of money and the reign of special privilege. Addresses on commemorative and other occasions have been filled with their lamentation. Young men entering their wider world heard from every side of the low state to which the public morals of this country had fallen, the degradation of its politics, the scandals of its finance.

But that pessimistic view was, after all, hopelessly biassed. It was quite as deficient in perspective as the glowing tributes of the Fourth of July orator. Righteousness and courage and duty still abode among Americans. Because of them the afflicted body contained the means of its own regeneration. It is the effort of this book, without in any way attempting to minimize grave and actual perils, to present some of the facts that go to

strengthen the hopeful view of our country's condition and its future, to point out the symptoms of health as others have pointed out the symptoms of disease.

That there has been an awakening of the American people during the opening years of the twentieth century is now an accepted fact. It has manifested itself in two main forms, the warfare against political bosses and the warfare against specially privileged corporations. These two issues are to all intent one. And yet the story of the great movement for political and business honesty cannot be told in the mere list of rascals jailed and new officials elected. Above and beyond these concrete achievements there has been a bracing of the moral sense of the country that is none the less real because it cannot be accurately measured. The animating ideas which found their nearest and most needed application in politics are in a fair way to permeate other departments of our life as well.

It is not enough to say that the old ideals have been restored, that the old spirit has reasserted itself and that a nation seemingly indifferent has responded to the old appeals. The fact is that our standards have changed more than the times in which we live. We

see the evil more plainly in practices that were once accepted as natural and inevitable. What one generation condoned, the next will not tolerate.

This book is an attempt to catch, while the subject is still close and living, some of the spirit and accomplishment of this revival. Dealing, as it must, with movements still in progress, policies only half worked out and men still active in the same fields, it cannot pretend to be in any sense a critical or final history. Yet it does hope to make the citizen who may read it a little better acquainted with some of the personalities and some of the forces most prominent in this remarkable period, to suggest motives and purposes and explain for the benefit of engagements still to come in what ways individuals in all parts of the country have been able to aid the general cause.

Whether it be called the "moral upheaval," the "civic renaissance," or any of the other names which observers have applied, this movement is, after all, a unit. Its record is mainly a record of success, in fact of success beyond the reasonable expectations of those who have been its leaders. That there are here some stories of immediate failure or disappointed hope is not to be wondered at.

But even if the next few years see still more such failures, that fact takes nothing from the significance and inspiration of this chapter in our national history. If all concrete results were swept away a revelation would remain of the power which the individual, the everyday citizen, possesses against entrenched privilege, whether financial or political.

Besides the more intimate treatment of the leaders themselves and the invaluable work of those who were not leaders and merely gave what simple service they could, there are some general aspects of the facts to be regarded. There is the improvement of political standards everywhere, making our campaigns cleaner and fairer, the development of means by which the people can make their will more directly effective in the affairs of government, and finally the constructive work in legislation and administration which has followed upon the victories of reform in our states and cities.

While this account is based in considerable part upon the results of personal observation, grateful acknowledgment must be made to many who have given help and advice in its preparation. Magazine and newspaper articles have been freely availed of, and among the books which have been drawn upon may

be named Alfred Hodder's "A Fight for the City," Frederick C. Howe's "The City, the Hope of Democracy," Alden Freeman's "A Year in Politics," Charles Willis Thompson's "Party Leaders of the Time," and the writings of Lincoln Steffens, as well as the reports of proceedings of the national conferences for Good City Government. A portion of this book has appeared in the *Outlook* and the map illustrating the progress of primary reform is reproduced here by courtesy of that periodical.

New York, September 27, 1906



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America's Awakening

I

HOW THE AWAKENING CAME

NE of those public nuisances, a professional reformer, called recently at the mayor's office. The attendant in charge of the door sprang to his feet, bowed with great respect, threw the door open wide with a "Walk right in, Mr.——. His Honour will be mighty glad to see you."

"I've called here dozens of times and usually I had to cool my heels in the waiting room. You never were so hospitable before."

"No, sir," said the doorkeeper thoughtfully, "but things is different now."

The remarkable point about this story is the number of places of which at the date of this writing, it might be true. Had it been told, say, in 1890, one would perhaps have hesitated and then said, "That must have been in Detroit. They've elected a man named Pingree there with all manner of fantastic reform ideas." Had it been told in 1901 the hearer would undoubtedly have guessed New York, where the Low administration had just been inaugurated, although Mark Fagan in Jersey City and Tom L. Johnson in Cleveland were both newly elected mayors with some ideas for improving conditions in their cities and might have been alternative guesses. The office of "Golden Rule" Jones in Toledo, too, might have been such a haven for reformers.

But in this year 1906, that incident at the mayor's door which, as a mere matter of fact, is told of Philadelphia, might just as well have happened at St. Louis or Milwaukee, or Cleveland or Jersey City or Cincinnati or Minneapolis or Portland, Oregon, or a score of other cities great and small. With a governor substituted for a mayor it might be told of the state capitols of Missouri or Wisconsin or New York or Illinois or a dozen other states. "Things is different" nearly everywhere.

The country seems, in fact, to be emerging from a period when the rule of some boss or other was accepted as the normal and unalterable condition of American life. Some Americans lived under extremely benevolent despotisms, some under conditions most galling. The cause and cure of bossism had been for twenty years one of the most prolific topics of discussion in print. There were hierarchies of state bosses, city bosses, and ward bosses, interrelated, through natural coöperation within the party and secret and corrupt understandings between opposite parties. All of them received defeats now and then, but two successive defeats against the boss-made candidates was something almost unprecedented. Scholars began to study the boss as they would a scientific specimen, analyzing and describing his complicated activities. His average lease of power was solemnly computed at eight years. And the final proof of his acceptance as a permanent force was furnished when publicists began to point out that instead of being an unmitigated evil, as the reformers had always insisted, the boss really performed some very useful functions for society.

One of the so-called good things which the boss had done was to abolish completely the legislative lobby. While he reigned, the bribery of an individual senator, assemblyman or alderman was merely gratuitous and dangerous folly. People who sought legislation, whether good or bad, had only one man

to see. So this one man had many chances to make friends among the best intentioned elements. Contributions to campaign funds were safer and more respectable than older and pettier methods of influencing legislation. "Never before," wrote a veteran editor in 1897, and the quotation is typical of the time, "has bossism presented itself so offensively as this year. In the past there has been more or less pretense of reserve. This year the bosses threw off all disguise. They declared that bossism is the ideal perfection of government with a democracy."

Now it happens to be true that of the six bosses named in the article above quoted as the most powerful of their class, three are now dead, two have formally retired from active politics, and the last has been deposed by a stronger rival. But when the average American citizen to-day goes over the list of the figures most prominent in our politics, he does not utter the names of these bosses' successors.

Since the twentieth century opened there has moved into national prominence a group of new personalities which have, for the time being at least, overtopped the politicians of the older and more sordid school. They may be spoken of as a group, if only because

of the frequency with which their names are uttered together on public platforms and in common speech. As a matter of fact they are far removed from one another not only geographically, but in other ways. They are identified with different issues. Until very recently scarcely any one of them had so much as shaken hands with more than two or three of the others. The men who have led in the good fight of the past few years, have been, like the characters in Gilbert's ballad, "total strangers to each other." But the very fact that the name of one of these men inevitably suggests the others shows in itself that in the mind of the people these men collectively stand for an idea, and that idea, working itself out in divers forms is to-day the animating force of our politics.

It is rash to say of any development, in our complex and ever changing political life, that an event or combination of events never occurred before or that its results are certain to be permanent. But the achievements of the past two years are wonderful enough without any attempt to exaggerate their significance. The suddenness as well as the tremendous power of the forces which have been stirred make the word "upheaval" accurately descriptive of this period.

No wide-spread and effective rising is ever so abrupt as it seems. Even in the political awakenings which on their face have seemed most sudden we know that there have been long periods of preparation. We can illustrate this in the present instance by simply recapitulating, without any attempt at critical comment, some of the capital events of the past ten years along the line that goes by the general name of "reform." It is not necessary to vouch for every act of every man who has had a part in the good fight. All the leaders, without exception, are charged with insincerity and selfish motives. All have been subject to both ridicule and denunciation. Nearly all have been opposed by many intelligent, conscientious and patriotic men. Many of them have, by the admission of their strongest admirers, grave defects of temperament. We are too close to get the correct historical perspective upon any of them. But we can say of all these men that they have obtained results, that the work of each one has served as an inspiration to others, and, most significant of all, that their own people have believed in them and trusted them.

What we have here is not in a strict sense the story of one "movement" appearing in

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different developments in various parts of the country. Yet one who reads the record comes to feel as if there must have been some single purpose behind it all. We can see the beginnings in rather feeble and widely separated instances, and later events occurring simultaneously in a dozen localities seem to be in response to the same momentum.

In 1899 the first edition of "Who's Who in America" was issued. Its editors aimed to include among its 8,602 biographies all the Americans of national prominence, the men whose names were likely to figure in the news or public discussion of any kind, and whose records intelligent readers might have occasion to look up.

This volume furnishes an excellent starting point for a brief review of the reform movement's progress. Hazen S. Pingree of Detroit and Samuel M. Jones of Toledo have already been alluded to as, in a sense, forerunners of the movement that has since taken on such proportions. In this year of departure, Pingree was serving his last term as governor of Michigan. His experiment when mayor of Detroit at setting the unemployed to work on municipal potato patches more than any other one thing had attracted the

notice of the country to this original-minded shoe manufacturer. "Golden Rule" Jones was mayor of Toledo, but up to this time had been simply a Republican mayor, like a thousand others in the country. Certain cities, San Francisco among them, were enjoying at the time reform administrations. Theodore Roosevelt was governor of New York. In New York City, however, Tammany was in full control. Seth Low, entered in "Who's Who" as president of Columbia University, had been the candidate of the Citizens Union in the first mayoralty campaign of the Greater City, and had made such a close second that, had the Republicans voted for him instead of nominating a separate candidate, General Tracy, their combined vote would have been larger than that of Van Wyck, the successful candidate. The memory of other defeats of fighters against corruption in one form or another was still very vivid in this year 1899. Robert M. La Follette, in Wisconsin, had just received his second defeat for the Republican nomination for governor. The desertion on the very eve of the convention of certain delegates upon whose votes he counted, had given rise to serious allegations of bribery. Dr. L. F. C. Garvin, leader in the still unsuccessful fight against the system of Rotten Boroughs which perpetuated the sway of the Rhode Island oligarchy, had in the same year suffered his fourth defeat for Congress.

So much might be gleaned from the standard reference book of seven years ago with its hints somewhat elaborated. It would be unreasonable to criticise it for not mentioning at this time such inconspicuous citizens as William Travers Jerome of New York, Joseph W. Folk of St. Louis, or John Weaver of Philadelphia, to say nothing of a dozen other men who might now be named as having done work comparable to theirs, though on a less conspicuous scale. Mr. Jerome was, in fact, at this time, a justice of the court of special sessions in New York City, a bench created to try without a jury certain designated classes of misdemeanours. Weaver and Folk were not in office at all.

The facts above stated constituted the sum and substance of the reform hopes as they were through most of the year 1899. Before the November elections, the Mazet Committee appointed by the State Legislature was carrying on its inquiry into New York City's real as distinguished from its theoretical form of government. In the elections that year Mayor Phelan of San Francisco

was reëlected, and Thomas S. Hayes was chosen mayor of Baltimore on a good government platform. More remarkable, Mayor Jones, nominated by petition, after the Republican convention had refused to renominate him, had been reëlected in the spring as mayor of Toledo as "a man without a party," receiving something like seventy per cent. of the total vote.

In 1900, the year which saw Roosevelt reluctantly elevated to the vice presidency, Folk, a prosperous young lawyer, was picked for the place of circuit attorney in St. Louis, and La Follette, having fairly beaten the opposition at last, received the unanimous nomination of his party convention and in November was elected governor of Wisconsin. From this time on, every year has seen a similar set of events occurring in different forms in different localities and yet properly to be mentioned together. In the closing months of 1900 and the early part of 1901 came "the hunting of John Doe" in New York, the startling series of raids upon dives, pool-rooms and gambling houses, Justice Jerome sometimes participating in person in spite of talk about "the dignity of the bench." The meeting at the New York Chamber of Commerce which led to the creation of the famous

"Committee of Fifteen," had been held late in November. The municipal campaign was just a year ahead, and Richard Croker who. two years previously, had made before the Mazet Committee the unembarrassed declaration that he was "working for my own pocket all the time," tried to anticipate the work of the reform forces by appointing a Tammany Committee of Five ostensibly for vice suppression. His committee, it may be added, had very little to do with the horrible disclosures of that year. Jerome had borne the chief part in awakening New Yorkers to the appalling conditions which had grown up under a system of lax administration and police blackmail. Nevertheless, by reason of his "sensational" methods, he was regarded as an "unsafe" candidate, and it was with extreme reluctance that the fusion against Tammany was induced to accept him as its nominee for district attorney. The predictions, of course, proved ludicrously untrue; instead of being a drag upon the ticket, Jerome was its chief motive force.

While Low and Jerome were winning their victory in New York, three other cities were having important off year elections of their own. Tom L. Johnson "manufacturer-capitalist" and ex-congressman was carrying

the Cleveland mayoralty on a platform of "equal taxation and three-cent fares with universal transfers." Mark Fagan, across the Hudson River from New York was bringing Jersey City a reform government. In Toledo Mayor Jones had a second time appealed to the people and been chosen mayor as an independent.

Chief among the events of 1902 may be mentioned for the purpose of this summary, the St. Louis and Minneapolis exposures. The young circuit attorney of St. Louis, who had shown unexpected aggressiveness and independence by his prompt prosecutions for frauds in the election which put him in office. received, early in this year from a newspaper reporter, uncommonly definite intimations regarding a large boodle transaction in the city council. Following out his sworn duty without delay, in little more than a year he had secured twenty convictions for bribery and perjury, of conspicuous citizens both in and out of office, all but six of which, be it noted, were afterwards reversed by the supreme court. The Minneapolis disclosures came through the grand jury. They concerned "police graft" rather than the larger municipal boodle. But their extraordinary incident was the sudden flight and practical abdication of Mayor Ames. So the reformers were able to go about the work of cleaning up the city as one might undertake the same task in a house that had been abandoned by some unpleasant tenants. In this year La Follette was reëlected as governor of Wisconsin, but Wisconsin was in the habit of reëlecting her governors, and this victory in itself did not signify so much as that of Dr. Garvin who won the governorship of Rhode Island for the first time on a platform promising a constitutional reform which, however, the opposition of the small town representatives in the State Senate prevented his carrying out.

Aside from the postal fraud indictments at Washington, the year 1903 was one of ground held rather than ground gained for good causes. It was a year of reëlections, Fagan, the Republican mayor of Jersey City, Jones the Independent mayor of Toledo, and again Garvin, the Democratic governor of Rhode Island.

It is not until the autumn of 1904 that we see approaching the actual crest of the "Reform Wave." La Follette in Wisconsin had failed during his second term, to secure, at least in satisfactory form, the legislation for which he had for years been fighting and

which his party platforms had repeatedly promised. Offering himself as a candidate for a third term, the governor was plunged early in the year into an exceedingly bitter contest in the local primaries. His own nomination by the regular party convention led to a formal split in the party. The National Republican convention which nominated Theodore Roosevelt late in June, recognized the bolting anti-La Follette faction, thus adding another powerful influence to those which the governor was already opposing. Meanwhile Folk in Missouri had been conducting a long and strenuous compaign for the Democratic nomination for governor of Missouri, in the face of the united and desperate resistance of the old Bourbon machine of the State. November brought the election of both these militant candidates and the unusual degree of political independence engendered was shown by the election of Democratic governors in six of the states carried by Roosevelt.

On January 1, 1905, most of these new state officials were inaugurated. La Follette, after securing the passage of his long-fought railroad rate bill, accepted election to the United States Senate, though he did not take his seat till nearly a year later. In May

supine Philadelphia gave one of the most inspiring exhibitions of political courage and independence this country has ever seen. The attempt of the machine to force through an utterly indefensible lease of the city gas works to a private corporation, led to a "Declaration of Independence" by Mayor Weaver and speedily to the utter rout of the old and intrenched ring. The Armstrong insurance investigation began two months before election in New York, and unquestionably had a great deal to do with arousing public sentiment against corrupt alliances of business and politics. It was one of a succession of unusual preëlection developments. Jerome, in New York, now finishing his four year term as district attorney, issued a flat defiance to the bosses of both parties. He was nominated as an independent candidate, began an apparently hopeless campaign for reëlection. In Boston, similarly, John B. Moran was seeking the district attorneyship of Suffolk County against the nominees of both the regular parties. In New Jersey, Everett Colby, a young man who had served three terms in the Assembly had received the Republican nomination for State Senator of Essex County, which, by reason of his attack upon the powerful local boss, Major Lentz, assumed a

significance out of all proportion to the importance of the office itself.

The elections of that November resulted in such "wholesale boss-smashing"—the reiterated newspaper phrase is perfectly descriptive—as the whole previous history of the country could not parallel. Jerome carried New York, Moran was elected to the corresponding office in Boston, the City party elected its candidates by a large majority in Philadelphia, a fusion of Democrats and Prohibitionists elected the only State official chosen in the State of Pennsylvania against the candidate of the Penrose organization. Ohio elected a Democratic governor on a law enforcement platform, and the choice of anti-machine officials in Cincinnati was followed by the formal announcement of the retirement from politics of George B. Cox, the Republican boss of that city. Johnson was reëlected in Cleveland and Fagan in Jersey City. In Maryland the constitutional amendment which, in the guise of a safeguard against "negro domination" would in reality have enabled the partisan election officials to disfranchise many thousands of white voters at will, and thus to perpetuate the party in power almost indefinitely, was defeated at the polls. In the far West, an anti-Mormon

mayor was elected at Salt Lake City, in protest against the control of the Church of the Latter Day Saints in politics, and in Portland, Oregon, the reform Republicans who had been defeated in the party primaries voted with the Democrats to put a good government mayor, Harry Lane, in office.

In the early months of 1906 must be added to these achievements the breaking of the Delaware Senatorial deadlock in Delaware not, as in 1903, by a compromise with J. Edward Addicks, but by his decisive defeat.

The altered temper of the country is reflected again in the number of long deferred measures which Congress and the State Legislatures have passed after years of delay. Thus the national pure food bill became law after literally seventeen years of postponements, and the railroad rate bill after a somewhat less period of agitation, to say nothing of minor measures which have been passed in response to an expressed public opinion.

In August of 1905 the little town of Lacrosse, Kansas, was claiming the distinction of having in its jail the only man ever put behind prison bars in America for violation of an anti-trust law. This man was not a great trust magnate. Very few newspaper

readers would recognize his name in print. He was merely the secretary of an inconspicuous Grain Dealers' Association which had tried to form a pool of the millers at Bison. Yet, after three years of litigation the United States supreme court had sustained his conviction, the governor of Kansas refused a pardon and the culprit was actually serving a short sentence. That half whimsical distinction Kansas is not likely to enjoy undisputed for long. The number of proceedings begun in 1906 to enforce the penal provisions of existing laws against discriminations and unfair or oppressive business methods makes absolutely a new record. Not only are the federal authorities bestirring themselves, but state and local officials as well. The country is beginning to hope that punishment for violating laws of this class may in time fall as regularly upon "the man behind the octopus" as it does upon violators of other laws which carry imprisonment as their penalty.

This cursory review of the main events at least serves to show how wide and how powerful have been the manifestations of this American awakening. We identify it with a few great names, we personify it in a few conspicuous figures. Yet these leaders, after

all, have been only leaders. If the people had not followed, they could have accomplished nothing at all. In almost every case of recent reform triumphs, indeed, there are the records of previous defeats of candidates on much the same issues upon which they have recently succeeded, and failures of deserving laws which have lately been passed on their merits. The causes and the men were as worthy then as now. Evidently the change has been less in the candidates and the issues than in the people themselves. Imagine the identical measures and the men of 1904 and 1905 to have offered themselves in 1894 and 1895, and it cannot be seriously supposed that results comparable to those of the present could then have been accomplished.

"One knocker beating his hammer into a muck-rake," as *Life* cynically observes, "does not make a millennium." Yet probably more of our "hammers" than ever before are now employed at constructive work. We are not only making new and better laws but we are enforcing the old ones more effectively. And in doing these things we are making a chapter of American history which, for inspiration, has no parallel outside the years of the Revolution and the fight against slavery.

GRAFT AMONG THE FATHERS

UR American awakening has manifested itself first in the eradication of graft. Rubbish has to be cleared away before any constructive work can begin. Yet, if only for the sake of perspective, it cannot be too much emphasized that while the word "graft" is new, the thing itself is vastly otherwise. There has never been a time when the mass of the people have not been honest, but neither has there been any time when the country was free from rogues. To state the indisputable fact that the abuses and scandals unearthed in the past few years have differed only in degree, and sometimes not even in that, from others that have come to light at all periods of our history, is not to counsel pessimism. It is in no sense equivalent to saying that graft is a necessary evil or inseparable from business or political life. The real harm would be done by the false impression that it is a new phenomenon to which public attention has been lately so much directed. The notion, "that our political and business evils cannot be grappled with successfully, not because they are in themselves too great, but because the moral fibre of the people has deteriorated" is, as George W. Alger puts it in his much discussed essay on the Literature of Exposure, "a heresy more dangerous, if adopted, than all the national perils which confront us to-day combined."

After all is said and done it was not a twentieth century trust magnate who said, "Every man has his price," but an eighteenth century English prime minister. Whichever of our public evils be taken as a type the same condition exists. The student who investigates with real thoroughness finds the roots of contemporary abuses, and sometimes more than the roots, in the years of our boasted simplicity and virtue. "Who can doubt—" sings Kipling:

"Who can doubt the secret hid
Under Cheops' pyramid
Was that the contractor did
Cheops out of several millions?
Or that Joseph's sudden rise
To comptroller of supplies
Was a fraud of monstrous size
On King Pharaoh's swart civilians?"

Now to bring the text home.

"Jay," said Ex-Senator Gouverneur Morris to John Jay who, after presiding over the Continental Congress and serving, in Jefferson's absence, as this country's first secretary of state, had become chief justice, "what a set of d——d scoundrels we had in that second Congress."

"Yes" assented the chief justice, "that we had."

George Pellew, who narrates this incident in his life of Jay comments upon it by saying: "Congress in those early days, as pictured in the private correspondence of the French agents and ministers, does not altogether resemble that Amphictyonic Council of honourable, unselfish patriots into which it has become transfigured by the magic consecration of time."

The late Senator Hoar of Massachusetts, an antiquarian of parts, a close student of history all his life, and of longer actual participation in public affairs than all but a very few of his Senate colleagues, in his "Autobiography of Seventy Years," speaks of telling General Garfield, after the Belknap impeachment trial in 1877, "that I had been looking into the history of the first sixteen years of the government, which included the administrations of Washington and John Adams and

the first term of Jefferson, and that in my opinion there was not only more corruption in proportion then than there had been under Grant, but there had been more in amount, notwithstanding the difference in population."

Before the advent of the modern newspaper and the ten-cent magazine, detailed stories of official wrong-doing were not put before the public, it is true, in quite the same form as at present. It is rather in the diaries and letters of the time that light on this subject must be sought. They give it abundantly enough. "Public virtue," wrote Philip Hone, ex-mayor of New York, in 1843, "is the only foundation of a republican form of government, and that is utterly swept away."

He seems to have regarded crooked political methods as inventions of the thirties, his own term of office having ended in 1827. The effort more recently has been to establish their genesis in the eighties or nineties, with occasional remote allusions to the seventies. But the parallelism is close in many ways. Compare, for example, the comments upon the postal scandals of 1903 or the insurance revelations of 1905 with this citation from Mr. Hone's diary, November 6, 1838, some sixty-five years earlier.

"The city has been agitated to-day by reports of a defalcation in the accounts of the late collector of the Port, Samuel Swartwout, to the amount of a million and a quarter of dollars. He has taken the public money and engaged with it in wild speculations of Texas lands, gold mines and other humbugs, which have caused ruin for several years past to men of more means and greater judgment than Mr. Swartwout. How it was possible that so enormous a deficiency should never have been discovered until now is perfectly inconceivable. It is a dreadful commentary upon the manner of conducting business at Washington, and it would appear impossible that there should not have been connivance on the part of some of the coördinate branches of the government either here or there."

In proportion to the amount of money handled at the New York Custom House, Swartwout's defalcation of \$1,250,000 would be the equivalent of twenty-five millions to-day.

There exists a sort of tradition in New York City that Tammany Hall became a bad influence in politics only in the days of Tweed. Democrats in arms against the organization have often boasted of their membership in it years ago when that was "an honour." But

the original sources of city history which were examined by Gustavus Myers in the preparation of his history of Tammany Hall led him to conclude that "Tammany has been from the beginning an evil force in politics. Its characteristics were formed by its first great leader, Aaron Burr, and his chief lieutenant, Matthew L. Davis; and whatever is distinctive of Tammany methods and policies in 1900 is, for the most part, the development of features initiated by these two men one hundred years ago."

Professor Jesse Macy in his book on "Political Parties in the United States," says of the generation before the civil war, that, "hardly a man could have been found who felt himself too virtuous to 'go into politics.' The sensitively moral were not repelled by political methods which to-day are regarded as disgraceful. As the higher political morality becomes more pervasive it will be difficult to judge the earlier age fairly. It is easy to forget that, from the very nature of moral progress, it often happens that intelligent and moral leaders of one generation will, in all good conscience, say and do things which only the conscious hypocrite or the knave of a later generation can do."

Manasseh Cutler was graduated from

Yale College in 1769, was an ordained minister and an army chaplain in the Revolution. He was twice elected to Congress after the adoption of the Constitution and President Washington offered to make him a judge. But besides these remembered distinctions, Mr. Cutler represented one of the large interests that came to Congress seeking legislation before the word "lobbyist" was invented. This was the Ohio Company of Associates. The company wanted large and valuable land grants in return for its work in settling and improving the lands of the Northwest Territory. Its initial difficulty in securing the desired legislation was that the members from several of the States did not remain at all regularly at the capital-then New York. Since the States voted as units in the Continental Congress the non-representation of the smaller States effectually blocked the pending bills.

The Rev. Mr. Cutler first sent a trusted agent to Maryland to persuade the members of Congress to come to New York, while he himself planned a trip to Rhode Island and Connecticut "to solicit members from these States to go on to New York and to lay an anchor to windward with them."

How he was to "lay that anchor" appeared presently. At this time-1787-Arthur St. Clair of Pennsylvania was president of the Continental Congress. There was to be a Governor appointed for the new territory "northwest of the river Ohio," and General St. Clair wanted the office. Accordingly the sagacious Mr. Cutler became a strong partisan of his candidacy. We find him writing in his diary, "Several members told me that our matters went on much better since St. Clair and his friends had been informed that we had given up Parsons (the other candidate)." The clerical politician learned by practice how to look after his company's interests. "We have now," he wrote, "entered into the true spirit of negotiation with great bodies. Every machinery in the city that it was possible to get to work was now put in motion." General St. Clair secured the appointment as Governor and it was he who named the present city of Cincinnati. And Mr. Cutler, on July 27, 1787, wrote triumphantly, "By this ordinance we obtained the grant of near five millions of acres of land, amounting to three millions and a half of dollars, one million and a half of acres for the Ohio Company, and the remainder for a private speculation in which many of

the principal characters of America are concerned. Without connecting this speculation similar terms and advantages could not have been obtained for the Ohio Company."

Some agents of modern trusts and corporations may know a little more about "the true spirit of negotiation" but most of the art of "putting through legislation" was pretty well mastered and practiced within five years after the last shot of the Revolution.

Members of the early Congresses were actually in the pay of France. It is unthinkable to-day that the most unscrupulous congressman could be guilty of such dealings. Certainly, "pessimism in regard to political conditions gains no support from real research."

But what is true of political corruption also applies to financial. "How modern all this sounds," writes Burton J. Hendrick of the questionable practices discovered in the conduct of an insurance company formed long before the war. Mr. Hendrick, who has written for *McClure's Magazine* the most exhaustive and careful series of articles on the history of insurance that have ever been prepared for the inexpert reader, finds the scandals of 1905 in the great New York com-

panies to be merely the application on a tremendous scale of deceptions and abuses practiced years ago in this country and long before that in England. Elizur Wright, the father of the good sort of American life insurance, visited England in 1844.

"A few years after Wright's visit," says Mr, Hendrick, "seventy-eight life insurance companies scandalously wound up. Needy aristocrats constantly sold their names for this purpose; the favourite device of the bankrupt nobility, indeed, was the organization of life companies. They fitted up elaborate offices; issued high-sounding prospectuses; impressed defunct schoolmasters and clergymen in as canvassers; and for a brief time did a flourishing business. They paid what were then enormous commissionsthirty-five and forty per cent.; regularly abstracted fifty per cent. of the premium in 'expenses' and thus soon, in spite of frequently large receipts, found themselves unable to pay their policy claims. At the time of Wright's visit the public conscience was aroused. Dickens had recently satirized the business in 'Martin Chuzzlewit' and Parliament had held a futile investigation."

Of Wright's work in this country both as insurance commissioner of Massachusetts and

as a private citizen out of office, Mr. Hen-

drick again says:

"His strictures on the Mutual and the Equitable read almost as though written yesterday. And it is not until we study his twenty-five years' campaign that we realize how long-seated are the present evils; how frequently they, and even the very men recently in control, have been exposed; how really short-lived the public memory is and how great the danger that, because of this national forgetfulness, the present upheaval may not end in lasting reform."

The opinions here quoted from men whose researches have especially qualified them to pass judgment on what may be called comparative public morality help to define this country's dangers as they actually are. They show the utter futility of the advisers who would have us fight the corruptionist as we would fight the burglar who attempts entrance once in a long time and can be definitely ejected when caught, with little danger of his ever coming back. Two well-dressed and educated New Yorkers once offered for newspaper publication the details of a plan whereby if two hundred men or thereabout would give two hours' work a week, "Tammany Hall would be absolutely annihilated as a political organization." Needless to say the plan was neither carried out nor its object attained. Real results have been recorded in various localities and through various methods, some of which are to be described in succeeding chapters. But these have always been with the full appreciation of the antiquity of the evils to be combatted, as well as their everlasting power of recuperation.

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ROOSEVELT THE INSPIRATION

THERE is a passage in Gilbert K. Chesterton's essay on Alfred the Great which the American reader may sometimes be tempted to apply to Theodore Roosevelt. "Alfred may not have done one of the things which are reported of him," says the essayist, "but it is immeasurably easier to do every one of those things than to be the man of whom such things are reported falsely. . . . If we read of a man who could make green grass red and turn the sun into the moon, we may not believe these particular details about him, but we learn something infinitely more important than such trivialities, the fact that men could look into his face and believe it possible."

President Roosevelt is the most writtenabout and the most talked-about American to-day, not only here but throughout the civilized world. Men who have honestly tried with abundant opportunities to tell the truth about him have arrived at the most wildly differing estimates. He is ranked with Washington and Lincoln; he is also ranked with James K. Polk and Franklin Pierce. The late Carl Schurz declared that there were two Roosevelts, "the ideal, the legendary Roosevelt, as he once appeared to be and as many people imagine him still to be, and the real Roosevelt as he has since developed." Roosevelt's admirers can hardly quote one of his inspiring maxims which his critics do not allege that he himself has violated.

But eliminate all matter in controversy, subtract everything that has to do with motives or immediate accomplishments, and there still remains in one way the most interesting aspect of Theodore Roosevelt. For whatever the man may be or may not be in war and in peace, there is no difference of opinion whatever regarding his greatness, to use the catch-phrase, "in the hearts of his countrymen." The whole sum of what he himself has accomplished could not possibly balance what he has inspired others to accomplish. He has made himself, as one of his severest critics styled him, "the greatest force for good in this country," not so much by specific official acts as by the sheer force

of his personality. Roosevelt, living, present, not even old, and in the very midst of partisan conflict, is already surrounded by much of the association, the legend, one might almost say the magic, that belongs to national heroes like William Tell or King Alfred.

The San Juan hill controversy illustrates this perfectly. San Juan hill is a perfectly well-defined eminence, near Santiago, one of the hills held by the Spaniards and captured from them on the eventful first day of July, 1898. Roosevelt never claimed to have led the charge up San Juan hill. He never claimed to have participated at all in the capture of the famous block-house. On the other hand no one ever disputed that he and his rough riders did charge most valiantly up Kettle hill, the neighbouring height. He himself told what happened in his book "The Rough Riders," where he wrote: "The Ninth Regiment was immediately in front of me and the First on my left, and these went up Kettle hill with my regiment. . . . We had a splendid view of the charge on the San Juan block-house on our left. . . . At last we could see the Spaniards running from the riflepits as the Americans came on their final rush. . . . Long before we got near them the

Spaniards ran, save a few here and there who either surrendered or were shot down."

Yet hundreds of columns have undoubtedly been devoted to the subject of his mythical San Juan charge. It has got into school histories; it has inspired poems and orations. The real Roosevelt's achievement, altogether honourable and intrepid and inspiring, is set down in official records which nobody ever reads, while the legendary Roosevelt is alternately apotheosized for particular exploits which he never performed, and savagely attacked for false pretensions of which he was never guilty. And what happened in regard to one point of his war record has been duplicated on untold occasions in connection with his peaceful activities.

"Why," as a disgruntled congressman once voiced the question of many, "is Roosevelt immune to the ordinary forms of political retribution? He has done things that would have meant political suicide to any other man who ever held office, and I haven't been able to detect the slightest diminution in his popularity." That invulnerability at which both his friends and enemies have so marvelled is not explainable at all except in the light of this peculiar glamour. Alone among our public men he seems to have passed the stage

where his every act is analyzed and criticised by all his countrymen in judgment. He has not felt the proverbial ingratitude of republics.

People believe everything of him, hope everything from him. A fortnight or so after the culmination of the Chicago meat-packing scandals, the grocers of England met in their general association. They were naturally anxious to know what they could expect regarding the quality of future American shipments. So they cabled to President Roosevelt about it, and he very promptly cabled back, through our ambassador that, "We can and will guarantee the fitness in all respects of tinned meats bearing the government stamp. If any trouble arises therefrom protest can be made not merely to the sellers of the goods but to the United States government itself."

It all seemed very simple and very natural, yet it is hard to imagine the same correspondence taking place with King Edward or the Emperor William or President Fallieres or the head of any other nation. Not only that, but it would have been much less likely to have occurred with any of our former presidents, Harrison, or Cleveland, or Mc-Kinley, for instance. President Fallieres

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himself has said that Roosevelt is known today to every peasant in France, while the London *Spectator* called him "one of the most popular figures in the English speaking world."

In one of Mr. Roosevelt's own books, "The Strenuous Life," he speaks of his personal experience in finding friends among all classes of people. "Outside of college boys and politicians," he says, "my first intimate associates were ranchmen, cow-punchers, and game-hunters, and I speedily became convinced that there were no other men in the country who were their equals. Then I was thrown much with farmers, and I made up my mind it was the farmer on whom the foundations of the commonwealth really rested that the farmer was the archetypical good American. Then I saw a good deal of railroad men, and after quite an intimate acquaintance with them, I grew to feel that, especially in their higher ranks, they typified the very qualities of courage, self-reliance, self-command, hardihood, capacity for work, power of initiative and power of obedience, which we like most to associate with the American name. Then I happened to have dealings with certain carpenters' unions, and grew to have great respect for the carpenter,

for the mechanic type. By this time it dawned upon me that they were all pretty good fellows, and that my championship of each set in succession above all other sets had sprung largely from the fact that I was very familiar with the set I championed and less familiar with the remainder. In other words, I had grown into sympathy with and understanding of, group after group, with the effect that I invariably found that they and I had common purposes and a common standpoint. We differed among ourselves, not because we had different occupations or the same occupation, but because of our ways of looking at life."

The converse could be written with just the same detail. There could be quoted almost ad infinitum cases like that of the coachman who advertised for a position with a family of "sturdy Roosevelt type," or the woman member of Dowie's flock at Zion City who said feelingly to a visitor who spoke of the president, "He would have made a grand apostle if he had only been called." But better evidence is to be found in the way in which Roosevelt's words weave themselves into the speech of the people. It is understatement to say that half of the current political phrases originated with him or were popularized by him. "The Criminal Rich" came from him

in his first term in the New York Assembly. "Clean as a Hound's Tooth," "The Square Deal," "The Door of Hope," "The Big Stick," are only examples. "Strenuous" was a rare word ten years ago, as rare as "kinetic." Now, it is overworked inexcusably and the only reason is that it is Roosevelt's word. The Man with the Muck Rake remained for two hundred and twenty-eight years between the covers of the "Pilgrim's Progress," alluded to by writers and speakers no more often than Mr. Ill-Favoured or Mr. Hold-the-World. Several journalists hit upon it simultaneously in its not very exact application to the over-zealous (the temptation is to say over-strenuous) " exposers." It made no particular impression. Roosevelt used it at the laying of the corner-stone for the new office building of the House of Representatives and the next morning everybody who talked politics was using the allegory. Roosevelt is undisputed phrasemaker to the nation. He is the first of our presidents, moreover, to have brief passages from his writings during his own term framed and sold in the shops like mottoes from Stevenson or Channing.

An incident which illustrates on a small scale the way in which the peculiar feeling of

Pearlman Momorial Library Central Bible College Springfield, Missouri intimacy has been brought about between Roosevelt and his constituents occurred when the president decided that he had time to do no more writing for publication during his term of office. Since Roosevelt had always been a literary man and had continued turning out occasional magazine articles as well or a volume now and then since assuming the presidency, the announcement was one of general news interest. It would naturally be expected to become known either by a statement at the White House or through some of the publications for which he had been writing. But the actual manner in which his decision was made public was much more characteristic. It was published to the country through the little monthly magazine issued by the students of the Kansas City High School. The juvenile editors wrote to ask whether the president would not be willing to contribute to their paper, and Secretary Loeb courteously replied for him that "the president hereafter will not write for publication during his incumbency of his present office except on matters of public interest and in an official way."

There are many stories to illustrate Roosevelt's impulsive way of passing over precedence and suddenly bestowing his confidence in some unexpected place. He disposed of a disputed federal judgeship on the strength of a schoolgirl's letter. "I like a little girl who has that kind of faith in her father," he said, "and I have a lot of faith in a father who has that kind of a little girl." That may not be an ideal way to make erudite judges, though the President in this instance had learned from other sources of the candidate's fitness, but it is almost an ideal way to make friends. It is in a way the crowning display of this sort of sympathy that Roosevelt was the president to change the high sounding official title of his residence "the Executive Mansion" to the homelier and more intimate "White House."

Falstaff called himself a cause of wit in other men. Roosevelt is a cause of activity and enthusiasm. Not only is his powerful aid sought and given to more concrete reforms and deserving causes than any other president so much as thought of embodying in his messages but his service as a sort of general galvanizing agent for all manner of weak and undecided officials cannot be estimated. Senator Tillman closing the debate on the rate-bill expressed his belief that the president had yielded more than was right and more than was necessary to the element in the

Senate which was anxious to weaken this legislation. "None the less," he added in effect, "the credit is due to him that we have any rate bill at all." He might have added that for a year before Congress did make up its mind to accept the president's recommendation on this point, the State authorities all over the country had been displaying entirely unwonted activity in proceeding against railroad abuses. State railroad commissions created years ago and generally inactive ever since began to assume an energetic character. The president asked Congress for a particular kind of rate law. That body took its own time about responding and by the time it did, no less than four State Legislatures had passed for the regulation of their local commerce just such laws as he was seeking to apply on a national scale. The same might be said of the pure food laws which the States adopted almost everywhere before the opposition was overcome in Congress.

The "muck-rake" speech contained the suggestion of a graduated income tax for the elimination of excessive fortunes. "That is going to make us no end of trouble in the Massachusetts Legislature," complained a rich Bostonian. An incidental, unofficial

utterance, not even a concrete recommendation, he felt sure, would influence a distant legislature quite as much as a governor's message.

But most impressive of all is the way in which his people have looked to President Roosevelt for help in all their troubles, quick solution of all their perplexities. In the early months of 1906 a young man named Tucker was awaiting execution at Boston. He had been convicted of an atrocious murder, but the conviction had been on purely circumstantial evidence and many thousands of persons in Massachusetts came to believe that the youth was innocent. These remonstrants against his execution finally arranged a mass meeting in Faneuil Hall and the plan for saving Tucker at which they finally arrived was simply—appeal to President Roosevelt. Tucker was not a federal prisoner; his offense was purely against the peace and dignity of the commonwealth of Massachusetts. Properly speaking, the President of the United States had not a particle more to do with the case than the Shah of Persia. But the appeal went to Washington, nevertheless, carrying the tears and the hopes of a multitude, and the president, very properly, declined to interfere,

How many times requests as far removed as that from the scope of the president's constitutional functions, his secretaries themselves would hardly pretend to know. The presidential mail-bag is always the repository of many strange personal ambitions and desires, but it has never been so much so as during the present incumbency. A citizen has written to see if the president cannot put a stop to all newspaper sensationalism, perfectly confident, apparently that Roosevelt could accomplish this beneficent result if he only chose. "I think it would be a good thing," he said in effect, "if you would stop the circulation of all these lying, slanderous stories which are printed, and I have no doubt if you will give this matter your attention you will feel as I do and have them stopped." Another finds the bears too numerous in the National Park and hopes the president will set government agencies to work thinning them out. An old soldier asks if the president cannot step over to the Pension Office and spend ten minutes looking over his papers there. "I don't want any pension," he explains, "unless you think it is all right."

An American woman whose son had unexpectedly enlisted in the British army and

was actually in the field in one of the minor military operations in Africa, wrote to ask if the President would not secure the youth's discharge and have him shipped home at once as she needed him for farm work, or something of the sort. "Each House (of Congress)," says the Constitution of the United States, "shall be the Judge of the Elections, Returns and Qualifications of its own members." For all that, well meaning citizens persist in writing to inform "Teddy" that Senator So-and-so or Congressman Soand-so is a "crook" and a grafter, and the President had better get rid of him without further ado. One of the most troublesome of the letter writers and callers in person for some time was a citizen who insisted that it was the duty of the President, without waiting for authority from Congress, an appropriation, or even a parley with the owners, to take over all the coal mines in the country and thus put an immediate end to the "distress of the poor."

These are grotesque enough. They stop very little short of the fabricated remark of the Irishman whom the humorist represented as expressing a fear that if the Pope should die "Roosevelt might appoint a Protestant in his place." And yet the making of such utterly preposterous requests of an official who has nothing to do with even the general subjects to which they relate is in itself the most staggering tribute to the impression of power which the man himself has made. It is not the least but one of the greatest of Roosevelt's distinctions that it is to him all the grown-up children in the land stretch their hands when they cry for the moon.





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Rolery M. Farallila

ROBERT MARION LA FOLLETTE

Born, Primrose, Wisconsin, June 14, 1855. Graduated University of Wisconsin, 1879. Elected District Attorney, Dane County as Republican, 1880.

Elected member of Congress, 1884. Reelected, 1886 and 1888. Practiced law, Madison, Wisconsin. Elected Governor of Wisconsin, 1900. Reelected, 1902 and 1904. Elected United States Senator, 1905.

"This fight must go on or it must die. It canno stop without dying. It is God's law that those things which are to live must grow."

IV

LA FOLLETTE'S UP-HILL FIGHT

F for no other reason than that it began first, Robert Marion La Follette's work for the state of Wisconsin deserves first place among these narratives of splendid service. It was in Wisconsin, as Folk of Missouri has expressed it, "where were started in large part the fires which are burning so brightly and with so much promise all over the country." La Follette is a United States senator now and only fairly beginning work in a new field, but for twelve full years there were no important political developments in his state that did not centre about him, his issues and his personality. Whether we look at it on the human or the picturesque side or attempt to analyze the particular platforms and promises and performances, it is the extraordinarily protracted character of the fight which first demands explanation. Actuaries say that one-sixth of the American electorate is renewed every four years. If this be true then a full half of Wisconsin's voting population had changed between the date when

La Follette first demanded attention for his programme of reforms and that when the last of these reforms was embodied in the law.

"Why so long?" "Why so bitter?" are the questions which outsiders have for years been asking whenever a wandering Wisconsin man began to speak of the politics of his home state. The best answer is that under all normal and reasonable and anticipated circumstances such an assault as La Follette's would have been disposed of, once and for all, in its first stages. Looking back over the field the wonder is not that it took him so long to accomplish his purposes, but that he ever succeeded at all.

La Follette began his contest without an organization, without money, without social, family or business influence to help him. His chief asset was—himself. So, before going any further, it is appropriate to consider briefly the man and to pick out some of the elements of his power.

Some three months after Mr. La Follette had taken his oath as a United States senator, he delivered a speech on the railroad rate bill. Incidentally, he shocked the tradition that a first-term senator should be seen and not heard, by taking three days to finish, and he did violence to another tradition of

senatorial courtesy by making reference to the fact that the chamber was nearly empty when he began speaking. That three-day speech was the longest delivered during the exceptionally exhaustive Senate debate on the bill. Some men who have studied that debate call it the ablest statement that has ever been made of the arguments in favour of government rate-making. One might disagree with Mr. La Follette's conclusions, might consider him, as his opponents always have, an arrant demagogue, but one could not well deny that he had studied the question at issue longer and harder than almost any other member of either House of Congress and knew a great deal about it. Into his speech the Wisconsin senator put the results of his twelve years of investigation. It had this unique distinction, that it was the only long speech in the Senate which dealt almost wholly with the question whether the government should regulate the charges of the railroads engaged in interstate commerce. Nine-tenths of the Senate debate at least was devoted to the question whether it could. Necessarily, in the effort to pass a constitutional bill, most of the leading senators devoted their abilities to an attempt virtually to anticipate the decision which the

supreme court would render on some future test case. La Follette's speech, on the other hand, was of the kind that might have been delivered in the British Parliament or some other legislative body which possessed whatever powers it chose to exercise. Its unexpressed corollary was that if Congress did not already possess the power to have the interstate railroads regulated by a commission, it was high time to secure that power by amending the constitution. The speech itself was an exhaustive handling of the practical phases of the railroad rate question. It sought to analyze minutely the various abuses which had sprung up in the absence of outside check upon the ratemaking activities of the railroads. It was fortified with tables and citations from the experience of existing rate-making bodies both here and abroad. It was, in short, intended to be laid before a small body of wise men specially trained in legislation.

Yet, barring length, La Follette would have delivered substantially that same speech to the ordinary crowd at a Wisconsin County Fair. And, what is more, three thousand farmers would have stood in the dust under a midsummer sun and heard him out to the last word. That is the really remarkable

fact about La Follette as a campaigner and popular orator. His extraordinary success does not come from "talking down" to his audiences; it is rather from interesting them in even the heaviest and most abstract subject matter. He makes, it will be quite safe to say, the longest speeches of any political leader in this country. They are as long as Colonial sermons. They have for years dealt with questions generally discussed exhaustively only for and by experts, they are crammed with details and neither interspersed with jokes nor enlivened by anecdotes. If these are demagogic speeches it is surely demagogery of a new type.

And yet on this very point there is an apparent contradiction. Some newspaper correspondents when La Follette came back to Washington a senator remarked as a surprising fact that he seemed a little ill at ease when attempting the "close range" unimpassioned style of speaking that prevails in the dignified quiet of the upper chamber. Probably there is an element of truth in this comment. La Follette, as has been said, would without hesitation deliver a United States Senate speech at a county fair. But some suggestion of the county fair may still hang about him when he addresses the United

States Senate. He is an impassioned and fiery orator whose speeches read like the proceedings of the Political Science Association. The fact is that he has been simply forced to develop a style of speaking suited to the work he had to do. He began his political career at outs with the leaders of his party. In his really important fights the greater part of the Republican press of the State has been opposed to him. He could make his ideas prevail in only one way—by creating the opportunity to address personally just as many of the State's half million voters as it was physically possible for one man to do.

In La Follette's college days he wanted to be an actor. That is a fact which, if he were ashamed of it—as he is not—his opponents would never allow to be forgotten. He had made his name during his senior year by winning an interstate oratorical contest with an oration on "Iago," which was praised by Edwin Booth and is still looked up by undergraduates in training for oratorical competitions all through the central west. He is a close student of Shakespeare, and one of his Chautauqua lectures is on the play of Hamlet. But when he failed to follow out that young man's ambition, there was a capital actor lost.

His reading of Shakespeare is the treat of his friends in private. He still speaks with the gestures and the graces of the trained elocutionist. Furthermore it is literally true that more than a third of his important speeches for the last ten years have been delivered in the open air, not car-platform speeches nor perfunctory greetings, but his most carefully thought out addresses. Is it a wonder if, after years of this experience, he does not naturally speak like Allison or Morgan?

La Follette has the same phenomenal memory for names and faces that James G. Blaine possessed. His natural tact and affability, too, have not lacked for opportunities in the "mixing" of Middle Western politics. He would have been a friendly neighbour even if he had never run for office, and he does take a personal interest in a great many subjects. Yet he has the added faculty of making every visitor feel that his particular business is of vital interest, too. On Wisconsin day at the St. Louis fair, a recent graduate of the State University who held an instructorship in an eastern technical school, which may be called for the occasion "Pickwick's Institute," sought an introduction to the governor. "Mr. —— is an instructor

in Pickwick Institute," remarked the friend who presented him.

"Pickwick Institute!" exclaimed La Follette, with the air of a man who hears suddenly the name of an old friend. "That's a school with——" There was just a perceptible pause before the governor pronounced his characterization, "a very decided individuality."

"Yes, sir, we think it is," said the young instructor, highly delighted that the governor should have found time in the midst of manifold cares and distractions to note that his school had a "decided individuality."

So much has been written about La Follette the campaigner, the advocate—the agitator as the other side would call it—that other aspects of the man's work have gone unemphasized. Yet he began his activity in the State field with an almost ideal training for the complicated work of legislation. He was the youngest member of Congress when he defeated the sitting member, a Democrat, from the Madison district in 1884. The House of Representatives remained Democratic, however, so that he had four years of service in the minority. His first speech on the floor, it is worth recalling, was an attack upon the log-rolling methods by which the

River and Harbour bill of the year had been drafted. He protested not only against the custom of including undeserving projects in order to gain votes for the bill among the members whose districts were favoured, but against the false economy which induced Congress to disregard the recommendations of government engineers and allot money in mere driblets, thus spending in the end much more than prompt and adequate appropriations would have required. On both these points striking improvements have, in fact, been effected within the last ten years. The record of that maiden speech further shows that when La Follette's time had expired, Mr. Cannon of Illinois, now speaker, rose to yield his own allowance of time for the young member to conclude.

In these two Democratic Congresses, the Forty-ninth and Fiftieth, La Follette had been a member of the Committee on Indian Affairs, which is not a committee of the first rank, Knute Nelson, now senator from Minnesota, serving with him. In 1888, however, the Republicans regained control of the House, and Thomas B. Reed was elevated to the speakership. With scores of older and more experienced men to choose from, he took La Follette for one of the vacancies on

the Ways and Means Committee, always conceded primacy among all the house committees and doubly important at this time because a tariff bill was to be framed.

This particular committee was certainly an extraordinary body. La Follette's colleagues were William McKinley, Jr., of Ohio, Julius C. Burrows of Michigan, Thomas M. Bayne of Pennsylvania, Nelson Dingley of Maine, Joseph McKenna of California, Sereno E. Payne of New York, John H. Gear of Iowa, Republicans, and John G. Carlisle of Kentucky, Roger O. Mills of Texas, Benton Mc-Millin of Tennessee, Clifton R. Breckinridge of Arkansas and Roswell P. Flower of New York, Democrats. McKinley became President of the United States, McKenna a justice of the United States Supreme Court, Breckinridge our minister to Russia. McKenna and Carlisle both held cabinet posts, McKinley, La Follette, McMillin and Flower became governors of their respective States, Burrows, La Follette, Gear, Carlisle and Mills were chosen senators, while Dingley and Payne succeeded to the chairmanship which carries the ex-officio "leadership" of the majority in the House, and the latter gave his name to a tariff law still to come. Mills had been chairman in the preceding Democratic House.

When La Follette, along with some seventy-five other Republican members was defeated for reëlection in the Democratic "landslide," the New York Sun characterized him as "the Duroc to McKinley's Napoleon." It was a happily chosen phrase for a trusted, efficient young aide. He had drafted the schedules on farm products, tobacco, linen and silk and was a member of the sub-committee on the iron and steel duties. It was not at this stage of his career, that opponents began to talk of his lack of constructive ability.

On McKinley's accession to the presidency he at once offered La Follette an appointment. Most of the state leaders by that time would have been uncommonly glad to see him quietly disposed of at a distance from the state. However, he refused it. proffered position was that of comptroller of the currency. The comptroller is the official who has charge, under the secretary of the treasury, of the entire national banking Nowhere could the impractical, system. obstinate, vain and notion-ridden La Follette have done much more damage. Yet Mc-Kinley evidently did not consider him dangerous.

In the year 1890 La Follette was as much a national figure as any able and ambitious third term congressman can be. He now ceased to be one as completely as any other third term congressman who fails to secure a fourth election. He settled down in Madison and began to practice law. When he was mentioned henceforth in Washington correspondence it was in the perennial articles on promising members who had dropped out of public view.

Yet the state felt his presence more than ever. Almost the first event after his return from Washington was his sensational and final break with Senator Philetus Sawyer, the most powerful member of his party, whom La Follette accused of attempting to bribe him. He became known as an opponent of the powers that had long ruled in Wisconsin. At the state convention in 1894 he backed an unsuccessful "anti-machine" candidate for governor, Nils P. Haugen, who had been one of his colleagues in Congress. In 1896, the presidential year, he announced himself a candidate for the Republican nomination. Coming to the Milwaukee convention in the belief that he had enough delegates to nominate, he discovered that enough had mysteriously deserted over-night to defeat him on the sixth ballot. Nobody was ever indicted for bribery, but the belief that those delegates

were influenced improperly, to put it mildly, has always been general in Wisconsin. The direct primary suggested a way of eliminating, once for all, the bribing or stampeding of delegates by abolishing the delegates themselves and this now became a feature of La. Follette's platform. His other issue was that the railroads had for years been paying very much less than their share of the state taxes. On these two reforms he went before the Republican voters again. Again he came to the state convention with what he believed to be enough sure delegates to nominate. Again a group of delegates deserted, and he again failed of the nomination, this time by 184 votes out of 1,067. Governor Scofield got the customary second term, but the reforms for which La Follette stood seemed to prevail nevertheless. That is to say, both Republican and Democratic platforms contained planks favouring direct nominations and the equalization of taxation. Under Scofield, the Legislature created a tax commission which was charged with the preliminary investigation necessary before the railroads could be compelled to pay taxes on the same basis as other property.

For the fourth time in 1900 the state fight was renewed. Senator Sawyer had died a

few months before the convention met, and this time the old "crowd" capitulated and gave La Follette a unanimous nomination for governor. It was not merely a case of making terms with a man who had beaten them. The former opponents of La Follette who voted for him in 1900 believed that they were to receive the full equivalent of their support. It was the disappointment of their expectations which started very much of the bitterness that was to characterize the succeeding years. La Follette wanted the nomination badly. The railroads wanted him to "be fair." He promised that he would be fair. He talked agreeably to the members of the other side in private conference; he wrote letters, true politician's letters, with balanced phrases stating his determination to deal equitably with all interests. They were letters of the kind which a great many public men with excellent reputations for firmness use to cover up their surrenders. Other men in Wisconsin had made promises similarly phrased and refrained thereafter from doing anything at all antagonistic to the railroads. In fact the boast of the public service corporations that for sixteen years no hostile legislation had become law in Wisconsin could not have been made but for files of such letters. The railroads expected to have a complaisant governor now.

Yet, when the state went Republican and La Follette was elected, he construed his oracular promises differently. He meant to be fair, of course, but no one could seriously call it fair to let the railroads pay less than their share of taxes. So the new governor set about the execution of the platform pledges.

The tax commission finished its investigations and reported that if the railroads paid taxes on the same basis as other property, instead of arbitrarily fixed "license fees," the State would collect some \$800,000 more per year from them. It also made some minor recommendations. The Legislature corrected every inequality that was pointed out except those in favour of the railroad companies. It would neither increase the license fees nor apply an ad valorem tax. The Assembly did pass a complete and carefully drawn primary bill but the Senate, where one-half the members "held over" and La Follette's opponents were in complete control, refused either to pass that bill, to submit it to a referendum, to pass a bill embodying the same principles but applying only to minor offices, or to submit such a modified bill. It put through merely a bill of its own which no student of primary reform has ever taken seriously, and the governor vetoed it. Thus the session ended with the desired legislation no nearer than before.

What did occur was a further break between the two factions of the Republican party. The summer after adjournment fiftynine members of the Legislature signed a manifesto of what was called the "Republican League of Wisconsin." "As representatives of the people," they declared, "we view with alarm the persistent effort to strengthen the executive at the expense of the legislative department of the State. . . . Many unwarrantable interferences with the exclusive powers of the Legislature and attempts to coerce acquiescence in unreasonable acts and unwise experiments at the last session were contrary to the welfare of the people of Wisconsin and created bitter factional differences in the Republican party." Because it opened headquarters on the eleventh floor of the Herman building in Milwaukee this organization became known as the "Eleventh Floor League." Now that La Follette was "in" it formed the nucleus of the opposition within the party. The Democrats, be it noted, from having echoed the La Follette platform were now solidly in opposition.

The Republican opponents of the State administration now borrowed from an oldtime New York political fight the term "Stalwarts" to apply to themselves, and began calling the La Follette men "Half-Breeds." The latter tried hard to keep these names from sticking, but they stuck, nevertheless. One of the governor's aides who went over all the manuscript of the 1902 campaign book, took pains to use his blue pencil on every reference to the "Stalwart" movement that had crept in, changing the term generally to "bolters." But the people had taken up the words, there was no use resisting them much longer and in another year they were part of the regular vocabulary of both sides.

It is no wonder at all that the men who differed from La Follette within his party hated him beyond ordinary political animosities. He had proved unmanageable to a degree. His opponents complained that he would not "treat" with them. After the first railroad tax bill was defeated and before the second came up, when he was anxious for an opportunity to reiterate his views, a dog tax bill was sent to him for approval

and he used his veto of that bill as the occasion for renewed insistence on his railroad taxes. "The fee or tax proposed," he said, "may not be esteemed by the Legislature a serious burden in itself, but it would add to burdens borne by a great majority of the people which are already out of all proportion to those borne by others whose influence would seem to be more potent in shaping legislation." Then followed some 2,500 words on the tax-dodging railroads. When he vetoed the patchwork and possibly unconstitutional primary bill he took occasion to make serious and sensational charges regarding the methods used to influence votes in the Assembly against the original bill. Whether the members of the other side were railroad hirelings or conscientious men he treated them in a way that antagonized them. He had never received quarter. He gave none now. The winning manner which makes him friends at close range was not for these recalcitrants. As a matter of fact, the issue between the two sides was too fundamental for all the tact and conciliation in the universe ever to have patched up except by the surrender of one side or the other.

Intolerance of honest differences of opinion has always been one of the chief allegations

against La Follette. That he is extremely positive in his own beliefs and reluctant to accept another's point of view is true. But that all his adherents are forced to accept his will in everything is ludicrously false even on the face of the record.

One of La Follette's close friends arrived in Madison during one session of the Legislature when a tax bill, an important measure though not embodying any platform policy, was being passed over the governor's veto in the Assembly, where the La Follette men had a clear majority.

"Why don't you get them lined up better?" asked this friend.

"Well," said La Follette, with an expression half humorous and half grim, "I suppose that's the way they see it."

He afterwards supported to succeed him as governor one of the very assemblymen who "saw it that way," contrary to his own wishes.

La Follette's own aggressive and uncompromising personality had now become a definite political issue. But there was a new issue on his side likewise. Up to this time we have heard practically nothing of the demand that railroad rates be fixed by the State. His "hostility to the railroads" had

consisted simply in the proposition that a stretch of railroad track should contribute the same amount to the support of the State as a mill or a residence of the same value. It is doubtful if he ever delivered a speech on the subject in which he did not stop to explain that it was quite as unjust to make the railroad pay more as to let it pay less than its rightful share. The final stage in La Follette's railroad programme was not reached until he formally opened his campaign in Milwaukee on September 30, 1902. Here he treated exhaustively the evasion by the public service companies and insisted that they must be forced to pay their rightful taxes. "For it should be still remembered," he added, just before closing, "that there is ever lodged in the hands of the free and independent citizenship of this commonwealth the final power of self-preservation. Let it not be forgotten when it is proposed to 'take it out of the people by increasing their rates' that there rests with the State itself, secured to it for all time by that great jurist Chief Justice Ryan and his associates upon the supreme bench . . . ample authority to fix railroad transportation at proper and reasonable rates, protecting all shippers and all citizens of Wisconsin."

La Follette received the customary second term as governor, and promptly followed up the idea he had thus expressed by a message in which he attempted to prove by an exhaustive analysis that Wisconsin railroad rates were higher than those of Iowa and Illinois, which had commissions with power to regulate them. This control he declared a "necessary accompaniment" of the tax law, for if the railroads could assess their own taxes on the people the old burden would be as grievous as ever. So the ratecommission question became the storm centre. The "Stalwart" Senate passed the ad valorem tax bill, and even the primary bill with the provision that it should not take effect until ratified by popular vote at the November election of 1904. But the rate bill it would not accept. There were hearings, tremendous delegations of shippers visited Madison to protest against the proposed legislation. Rate regulation was discussed exhaustively in pamphlets and newspapers by both sides, with complete inability to agree upon even the basic facts of the controversy. However, the bill failed, through a Wisconsin congress man, Henry A. Cooper, introduced at Washington the next winter, a similar bill which was the forerunner of the Esch-Townsend

and Hepburn bills and the comprehensive national rate act of 1906.

La Follette had now suffered five successive distinct defeats, one when he supported another candidate, two in seeking the nomination for himself, and two in the Legislature after he became governor. He had secured after ten years of campaigning the enactment of one of his original reforms lacking the corollary which he considered indispensable, and the chance to have the other passed upon by the people in an election still to come. No governor of Wisconsin had ever received three terms in succession. If La Follette had stepped out at the end of his term, told his constituents that he had done as well as he knew how, and possibly accepted a federal appointment, it would have been only the natural, and it would have been called the "inevitable," end of his fight.

But instead the governor came out as a candidate for a third term. He did not propose to retire from the fight, he said, until every one of the cardinal reforms which the State needed had been secured. If there was anything needed to enrage the "Stalwarts," it was this dogged, shut-eyed persistency. Both sides went into the field and all through the spring caucuses and county conventions

were being held and the results chalked down on every politician's blackboard. Both sides claimed a majority on the day before the convention met, but the balance of power really lay with 180 delegates whose seats were in dispute. The contests were intricate in the extreme, the printed briefs and records of the two sides filling more than 500 printed pages. In one instance a minor had voted at a local caucus. That caucus had been carried by a majority of one. The delegates so chosen had gone to the county convention and had been the means of carrying it for La Follette. So a considerable block of seats in the State convention was made to depend on that nineteen year old boy's vote. In another case the delegates' credentials had been improperly certified, and while the State Committee was deciding adversely on this ground a correctly signed copy was in the post-office waiting delivery. La Follette in his ten years of advocacy had never put forward a better argument for the direct primary than was furnished by this very controversy. If he had had his way there would have been no State convention at all

The decision of these contests by the State Committee furnished the nominal excuse for the Stalwart delegates to withdraw from the convention, hold one of their own at the local Opera House and nominate a third candidate for governor. The State Committee had decided about half of the contests each way, but as La Follette had more of the uncontested delegates this gave the convention to his partisans. The bolt occurred because La Follette was to be renominated. If there had not been one pretext for it, another would have been found.

There were two brands of Republicans in Wisconsin now, and it was all on account of La Follette. The division in the State was more like a feud than a friendly contest between men holding the same general political faith. It actually happened in Madison if not in other places that supposedly intelligent citizens of one faction forbade their children to play with children whose parents belonged to the other faction. The State capitol had burned during the previous winter. That fire became so much of a political issue that the Republican State Committee had to issue a document explaining very gravely, in effect, that La Follette and his henchmen had not burned it down. The Republican National Committee and the Credentials Committee of the Republican National Convention had decided that the Stalwart faction was regular, but the prestige of this was more than counterbalanced when the State supreme court decided that La Follette was entitled to have his name in the "Republican" column of the ballot. On the rendering of that decision Mr. S. A. Cook, the Stalwart nominee. withdrew from the field, and the faction which had embodied in its platform a special commendation of the "wise rule" against third terms, nominated in his place ex-Governor Scofield, who had already served two. Since the Democratic nominee, George W. Peck, for whom most of the Stalwarts really intended to vote, was likewise seeking his third term, the opposition to La Follette on the "anti third term" issue promptly disappeared.

How many Stalwarts there really were at the time of the bolt can never be definitely known. That faction always claimed to include a majority of the Republican party. Only eleven thousand voted for the third candidate, but it is impossible to tell just how far the Stalwarts who voted for the Democrat were offset by the La Follette supporters among "fair-minded Democrats" whose support the governor definitely asked in this campaign, using a term which he had employed in classifying the voters of his district, as far back as his congressional days

The returns indicated a net defection of a little over fifty thousand Republicans. Supposing that there were twenty-five thousand of the "fair-minded Democrats," the entire Stalwart strength might be set down at something like eighty-five thousand. La Follette votes numbered two hundred and twenty-five thousand.

But the bolting movement had appeared formidable far beyond its numerical strength. It embraced not merely the selfish corporation element, but most of the men who belonged to the politics of the older school, and those who were bound to them by social ties, personal ties or financial ties. It included a very large proportion of the "best people" of the state. The chairman of the Republican Congressional Committee, and the acting chairman of the National Committee. both Wisconsin men, belonged to it, as did both the United States senators. Its weakness was in the rank and file of the party. It was an army composed too largely of generals, and it could not stand in the face of a real popular sentiment.

The railroad rate law was now to be passed. It had been defeated in 1903, largely by means of the protests of shippers throughout the state against government rate-making. They

had written and telegraphed to their representatives, and they had come to Madison by train-loads to appear against the bill in person. The governor proposed to run no chance of that thing happening again. While he had lost on his main issue, he had secured an inconspicuous law which permitted the railroad commissioner to go over the books of the railroad companies. The commissioner now reported that he had discovered the payment of more than four and a half million dollars of illegal rebates to favoured shippers. When the railroads had paid their taxes on gross receipts these rebates had been deducted beforehand and the railroad commissioner's investigations were the means of collecting for the state about half a million dollars of back taxes. Where the governor had obtained that lump sum, it was obvious that if he chose he could obtain and publish the list of individual rebate-takers and the amount of their concessions, too. His message that winter contained a perfectly good-humoured passage devoted to the opposition which might be expected to manifest itself against the rate bill. "If the railroads have such power over any of the business interests of Wisconsin." he said, "as to bring them here through fear of jeopardizing rates or accommodations to which they are entitled in the conduct of a legitimate business, then the government should at once protect them against any further tyranny over them on the part of the transportation companies. If the large shippers are here voluntarily aiding the railroads to maintain excessive rates upon the general public, in order that specially low rates may be continued to them, then the state should at once protect the general public against being further sacrificed to the greed of the large shippers." The hint was enough. The shippers knew that the governor knew just which ones among them had enjoyed the "specially low rates." There was no "demonstration" at Madison that winter.

Before the rate law was actually passed, the Legislature chose La Follette to the United States Senate. The vacancy was a little more than a month distant. He accepted, but with the proviso that "if there should appear any conflicting obligation which should be impossible for me to meet as United States senator, although elected to that position, I shall ask you to recede the nomination from me and place it upon another man of your own choice." He did wait nearly a year before taking his seat at Washington.

After the rate bill had been on trial for a reasonable time he called a special session of the Legislature for the purpose of perfecting the workmanship of it and the primary law, as well as to devise methods for making the railroad companies pay the taxes assessed upon them under the new law. The special session over, he went to Washington and was sworn in for his new position. It was a little less than fourteen years since he had last sat in Congress.

What, after all, did those fourteen years of strife mean to the State of Wisconsin? That question is not answered by the mere statement that the aspirants for the succession have had their claims settled by the unequivocal vote of the members of their party and could not be affected by the stampeding or manipulation of any State convention; nor that the railroad commission for which La. Follette fought has settled scores of disputes between railroads and shippers all over the State, usually without court proceedings or even a formal order: nor even that the assessment issued at the time of this writing sets the railroads' taxes at \$642,500 more than they would have been under the old law. The greater achievement has been no less real because it cannot be stated concretely.

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La Follette's clean cut campaigns of issues have been most powerful protests against sordid, office-broking politics. He brought into public life in Wisconsin not only a new set of men, but a new spirit. A newspaper correspondent at Madison, one of the bitterest and most uncompromising Stalwarts that could be imagined said, "I must admit that the La Follette members have always been the best element in our Legislature." Indeed, the charge heard in the last few years is always that the make-up of the La Follette party-has changed. It is hardly denied by any one that it originally drew to itself the earnest, educated, clean young men of the State in a way that no other cause had ever done. It may very well be true that the grade of La Follette's lieutenants declined. There never vet was a winning cause which did not attract to itself the disgruntled and dissatisfied and self-seeking from all about. The Crusaders who enter the citadel are not necessarily the ones who have enlisted with the most of prayer and unselfishness.

But is La Follette sincere? That is the other question which is everlastingly asked. The long record of his persevering work, as it is briefly recapitulated here, contains the answer. Suppose that every one of the

laws for which he has contended are meretricious in principle. Still, he has let himself be diverted by nothing from the cause to which he dedicated his efforts. There is no moral doubt in the world that at any time up to the final stages of his fight he could have had himself "taken care of" by the wealthiest and most powerful interests in the State. Yet he is a poor man to-day and the summer lectures which are talked about by his opponents as if he gave them simply for the love of talking, merely make good what it has cost him to hold office. The very faults that are charged against him, over-confidence, unwillingness to treat with an opponent, absolutism, are the last in the world to be found combined with insincerity.

There is more to be said of La Follette's constructive work in another connection. But one special inspiration is in his story. More than any other public man to-day, he teaches how, in Browning's phrase,

[&]quot; . . . we fall to rise, are baffled to fight better."

THE JEROME CAMPAIGN

at once the despair and the hope of New York City. His public career has shown this by its alternation of periods of manifest unpopularity and general harsh criticism with bursts of such complete confidence and trust as only a very few men ever receive. Between crises his fellow townsmen spend a good deal of their time discussing Mr. Jerome's shortcomings and his rash promises which may remain unfulfilled. But when the actual reckoning comes, their old support is unabated.

In the life of every community there are always things which "some one ought to say." It has been the peculiar distinction of New York that, since Mr. Jerome became prominent, those wholesome but disagreeable things have been said. If there is such a thing as a scene "typical" of New York City politics, most residents of that city, whether in or out of politics, would describe it somewhat as follows:

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No.

WILLIAM TRAVERS JEROME

Born, New York City, April 18, 1859.
Attended Amherst College.
Graduated Columbia Law School, 1884.
Practiced law New York City, 1884–1895.
Appointed Assistant District Attorney, 1888.
Associate Counsel, Lexow Investigating Committee, 1894.

Appointed Justice Court of Special Sessions, 1895.
Elected District Attorney New York County, on Fusion ticket, 1901.

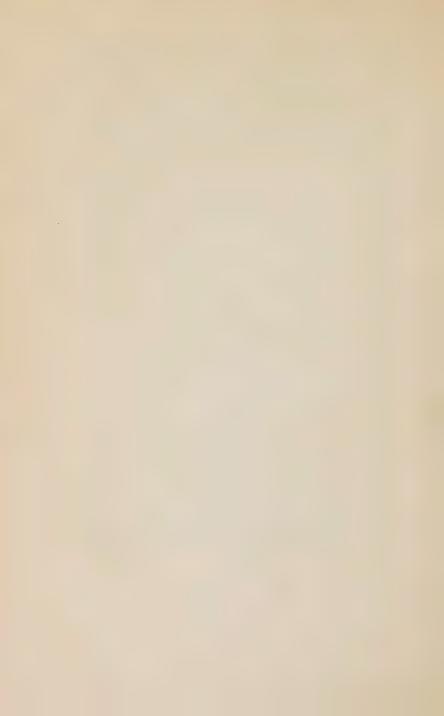
Reelected as Independent, 1905.

"Public opinion goes hither and yon, but in the end it is sweet, sane and sound, and like the ship will make its port."



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Wetravers Jeroue.



A campaign meeting is in progress somewhere. It may be a tremendous gathering of the well-dressed in Carnegie Hall or Durland's Riding Academy, it may be in the historic subterranean auditorium of Cooper Union, it may be in an up-stairs hall in the tenement districts, or in a packed and smoky barracks somewhere along the water front. At any rate, "spellbinders," good and bad, have been following each other on the platform through the evening, and one of them is in the middle of a stirring sentence when suddenly there is a slight commotion at one of the entrances. Some one near by cries, "Jerome!" and the next second the whole audience is on its feet cheering and waving. The interrupted orator stands puzzled and provoked for a minute. Then he smiles and succumbs, his sentence never finished. The chairman manages to slip in a sentence of introduction between the outbursts of applause, and the audience settles back again. Then the man for whom the people have been waiting begins to speak. He does not wear the "frock coat of oratory," he does not gesture, and his hands are probably in his pockets. But he looks straight at his audience with a pair of wonderfully cool and steady eyes behind his glasses. His words come rather slowly, with a sort of intensity that has nothing to do with the tricks of the platform speaker. As he approaches the particular message which he has for that evening his words begin to come between his teeth, almost raspingly. He is giving his hearers a few minutes of the plainest kind of talk on some vital point or other which everybody else is dodging. And when he has put into words something which nine out of ten of his hearers have felt in their hearts but never voiced, they respond with such cheers as all Tammany's fuglemen could not have organized beforehand

Nobody knew Jerome's wonderful power as a campaigner until he actually took the stump in his own behalf in 1901. From that time down, he has been performing the same service of doing the plain speaking for the community. Sometimes his almost brutal outspokenness may have done harm; but the good has been fifty fold greater. He discarded the conventional platitudes in his first speeches dealing with the evil in the city against which he and the Committee of Fifteen had worked together. He told an audience of his "own social class" from the brownstone districts that "you are not worth the powder to blow you out of existence."

He told a meeting of up-town women anxious to help the fusion cause "in the name of God to keep above Fourteenth Street" and content themselves with helping to raise money and looking after the votes in their own families. When Mayor Low's term drew near its end and his renomination seemed the inevitable thing, Mr. Jerome came out with a statement declaring that no one really wanted Low for a second term, and that another movement headed by him was doomed to failure—as in fact, it proved. Later, when he had convicted Sam Parks, a dishonest walking delegate, he went before a union meeting and told his hostile audience to its face that the greatest enemy of labour was the leader who called off a strike for money, whether his operations raised a few men's wages or not. When hardly another prominent lawyer would join him publicly, he delivered a straight from the shoulder speech on the degradation of the courts which it implied when judges had to sue before the bosses for their nominations. Yet he did not hesitate to condemn the president of the United States when Mr. Roosevelt had criticised the decision of a Federal judge. Most of his admirers would agree that the district attorney talks too much and not always wisely. Yet these

things are what make Jerome what he is the enemy and the antidote to all that is canting and hypocritical and mealy-mouthed in politics.

One of the sensations of his first campaign was his charge that William C. Whitney, who was openly supporting the Tammany ticket, and Senator Platt, the leader of the Republican party, and as such one of the chief men of the fusion movement, had been in secret conference. "It may be," he said, "that they conferred about the parallax of Jupiter or on the dark side of the moon, but they didn't. Mr. Whitney talked, I believe, with Mr. Platt about the district attorneyship of the county of New York." Later, he announced that he accepted the assurance of "a gentleman in a position to know," that there had been no Whitney-Platt conference relating to politics. But the day after the charge it was, of course, the sensation of New York. Reporters from all the newspapers went to Jerome's headquarters, located over an East side saloon, to ask for his authority and further details. He was not willing to be quoted, but just as his questioners were closing in about him, the telephone rang in the little alcove where the candidate had his desk, and Mr. Jerome answered it himself. His first words made it

plain that at the other end of the wire was one of his most important backers, remonstrating with him for the rashness of last night's speech. Mr. Jerome swung half way around. "This doesn't go, boys," he said. Then he delivered into the instrument an impromptu declaration of independence. He was going to do what he thought right in that campaign, he said, no matter whom he had to hit. When he had finished he hung up the receiver. There did not seem to be any reply for him to wait for.

Impulsive, sensitive on a point of honour, unwilling to be dictated to by any one on his own or the other side, Mr. Jerome has sometimes exhibited a chivalrous attitude towards his opponents that most men would consider nothing less than quixotic. In one case, he was prosecuting in the City Court a lawyer formerly employed by the street railway company on the charge of jury bribing. The judge asked for certain of the company's vouchers relating to previous cases. "Those vouchers are destroyed after one year," interposed the district attorney. "That's the Metropolitan Company's story," suggested the judge, "but there's no proof before the court," "As long as I have practiced," returned Mr. Jerome, "I have tried to conduct

myself as a gentleman. We have the word of Mr. Quackenbush (the company's counsel) for what I say, and Mr. Quackenbush is a gentleman. His word should be taken." And he left the room, with his assistant, saying the next day that the court in which his opponent's word had been doubted was "no longer a forum in which any self-respecting lawyer could remain unless he was compelled to."

Most men seasoned in politics have had dulled somewhat their natural sense of quick resentment at adverse reflections and insinuations. It has not been so with Mr. Jerome. Any imputation as to his motives rouses him as quickly as if he were new to the give-andtake of politics. When he was under criticism for failure to secure indictments in the insurance cases, he exclaimed with emphasis in an after-dinner speech, "It is not because there is a grand jury that will not indict, but because there is a district attorney who will not seek indictments unless based on proper evidence."

With his passion for independence of action and speech, his gift of vigorous statement, and his personal sensitiveness, it was the logical culmination of Mr. Jerome's usefulness that he should defy the political bosses

en masse. New York has always been the home of a great body of political independents, but these had hitherto made their influence felt generally through the agency of one or the other of the great parties. Both the time and the man had now come for a trial of strength with both these party organizations.

The campaign of 1905 in New York City opened with a startling violation of that favourite national fiction that the office seeks the man. On the last day of July Mr. Jerome gave to the newspapers a statement which, as a practically unique document in recent American politics, is worth quoting with some fullness. These were its main declarations:

"I desire to serve another term as district attorney of New York County. I have served in this office for three and a half years as faithfully as I knew how. I believe I have served efficiently. I believe I have served honestly. . . .

"It seems to me that one of the greatest evils of the present time is that small groups of men have—and not infrequently a single man has—obtained control of the executive machinery of party organization and nominating conventions and stood between the public service and the voters. The result is that one in public office usually has to choose between a termination of his public career or subserviency to such a man or group of men. The public officer as a consequence, frequently feels no responsibility to the people, but only to those who can secure for him a return to office or future promotion. . .

"Should the people of New York County desire me to serve them for four years more as district attorney I shall gladly accept the office at their hands. I shall feel that my obligation is to them and I shall serve them faithfully and as efficiently as my abilities enable me. . . But I do not propose to remain in office by the grace of any man or group of men such as I have indicated, and I shall retire from office only in consequence of the mandate of the people. Therefore if at the proper time there are two thousand electors in the county of New York who desire to have me run again for the office of district attorney of the county, I shall cause a petition to be filed, nominating me for election to that office and in this way submit it to the people of the county to say whether or not they desire me to serve them for another term in the office I now hold."

This statement did not name names, though its author has never been afraid of so doing.

But its straight out defiance to the Republican and Democratic "organizations" alike set not only New York but the whole country by the ears. Although speculation went on up to the date of the actual nominations it was very soon clear that the outspoken district attorney had cut himself off from all chance of an endorsement by either one of the great parties. He was left in a position as unusual as it was, in the minds of most "practical" men, unenviable.

Mr. Jerome had been elected in 1901 along with the other candidates of the Fusion against Tammany. He had been the inspiration of that campaign but his vote differed by only a few thousand from that of his colleagues on the ticket. The Fusion of that year was made up of the Republican party, the Greater New York Democracy, the Citizens Union, and certain minor organiza-The Greater New York Democracy had now dissolved and most of its members had returned to their natural Tammany affiliations; the Republicans would certainly nominate a candidate of their own. The Citizens Union alone had, months in advance, before even he had declared his willingness to be a candidate again, announced its intention to support Jerome. In fact, it wanted him for

mayor. But it was not the same Citizens Union that conducted the wonderful threecornered campaign in 1897 and came so near to making Seth Low the first mayor of Greater New York, nor the organization which had, as Alfred Hodder said in "A Fight for the City," "through Mr. Fulton Cutting forced Mr. Jerome's nomination on the managers of the Republican party," four years later. The Fusion ticket had been defeated in 1903 and Tammany had come back to power in the city of New York, though Mr. Jerome, a county officer, had been chosen for a four year term and held The Citizens Union's recuperative powers were not much in evidence. When the campaign approached, in short, the Citizens Union signified to the average New Yorker a group of zealous and disinterested men working in the city's interest, following and criticising local legislation at Albany and giving the public frank and trustworthy information on the records of candidates for office, a sort of political Bradstreet's rather than the army of militant citizens which it once had been. The county of New York included thirty-five assembly districts, and an annexed district which are the units of all political work and speculation in New York City. In about half a dozen of these the Citizens Union had active, well-manned organizations capable of taking up the work of the campaign at once and systematically. In a somewhat larger number it had no organization at all. Between these extremes there were all gradations of efficiency and inefficiency. It is not at all to be wondered at that the Union was decidedly stronger and better organized on paper than it was in actual fact.

But questions of what any particular man or organization had or had not and who was to receive credit and titles were not allowed to interfere with the work of electing the courageous prosecutor whom the people wanted and the bosses of both parties had conspired to retire to private life. Jerome was Jerome; he was as little the candidate of any reform organization as of any boss.

Very shortly after he had announced his utterly suicidal intention asking the district attorneyship of his fellow citizens as an independent candidate, there sprung into existence as if spontaneously, the Jerome Nominators, a group of citizens who proposed to look after the formalities connected with putting their candidate's name on the official ballot.

Some legally constituted body had, under the election law, to nominate Mr. Ierome. The Jerome Nominators quietly undertook this function. The nucleus of the body was a group of business men, personal friends of the district attorney, who had talked over the preliminaries at the luncheon table. The list was finally extended to include forty names, representing different walks of life in the city, and printed in alphabetical order. A simple square was chosen as the Jerome emblem and blank forms headed by this square were sent broadcast through the city, with the announcement that in case would-be signers found it inconvenient to have their signatures acknowledged legally at their homes or places of business, a notary would be at their service at headquarters without charge. The law required 2,000 signatures; nearly 20,000 were actually secured, and the 4,000 which were filed in the nominating petition represented only a selection from the cart loads in possession of the nominators. This done, the machinery for conducting the canvass sprang into existence almost as quickly.

Nobody had seriously thought before the middle of October of organizing the city completely on the lines of an independent party in the interests of this single candidate. The plan was simply to do as well as possible with the machinery already in existence. House to house canvasses were talked of, although a house to house canvass of 2,000,000 people and 330,000 voters is anything but a joke. Just as it was, the Citizens Union had a far more complete organization than had ever been applied before to the interests of a single candidate for what, by ordinary political standards, is a minor office. To have any organization at all for such a candidate, indeed, was a novelty.

It was just sixteen days before election that the determination was reached that if the work for Jerome was worth doing at all it was worth doing right. The great party organizations of New York had learned by a century's experience how a campaign could be most effectively conducted. It was the business of the Jerome workers to profit by their example. That meant that the Jerome organization, like Tammany and the Republican, must have a regularly appointed "leader" for every assembly district—the Citizens Union already had in most-and under him a "captain" for every election district or precinct. There were 1,116 such election districts in the county. Beside the "captains," if the precedents of efficient party work were to be followed, and the privileges of the election law availed of, there must be "watchers," two if possible for every polling place, to watch the conduct of the election during the day and at night stand by and see that the count was fair.

The ordinary voter undoubtedly never knew or cared just who it was that was doing the work in behalf of Jerome. That there were various independent organizations cooperating in the campaign was apparent only at the beginning. The emblem of the Citizens Union, the Statue of Liberty, was not placed on the ballot at all. "Jerome Headquarters" signs took the place of the placards of the separate bodies working for Jerome, even over many of the converted Citizens Union District headquarters. Those opened in districts where the Union had not been previously represented bore the same sign as a matter of course. Theoretically the Citizens Union was working at one place, the Jerome nominators at another, and the Jerome Campaign Club at a third. Practically, after the first week the campaign was everywhere talked about and written about as a unit. The active work was done under the supervision of members of a quite informal association, the nucleus of which was a group of young men, mostly lawyers, one being a member of the district attorney's staff, who came together through spending their summers at an old mansion on Staten Island.

In the doubtful period between Jerome's announcement of his candidacy and the actual beginning of the campaign, their table-talk had naturally turned often to the district attorney's chances. First two or three became enthusiastic in Jerome's cause, others joined them until there were fifteen or sixteen men ready to do some work and a half dozen who really devoted themselves to it. They began to call themselves the Jerome Campaign Club. Then the question arose whether they should throw in their fortunes with the old Citizens Union or work independently. Though a good share of them were Citizens Union men, they decided on the latter course. And the outcome of that decision was a new demonstration of the power which enthusiasm and energy have in any cause. Because this little group of men contributed these two things, their headquarters became finally the centre of the campaign's activity. During the first week, the newspapers scarcely knew even what to call the place. Before election day it was "the Jerome headquarters," and

so known to everybody concerned in the work. Mr. Philip J. McCook, one of the "Campaign Club," in a little up-stairs room, was in entire charge of the details of organization, and Mr. Charles J. Fay, another of the group, was at the head of the regiments of watchers. The story of this little association is on all accounts one of the most inspiring parts of the campaign.

It opened headquarters in the rear dining-room of the old Union Square hotel. The first day there was only a desk behind which three or four men were making the beginnings of a card catalogue of all who were willing to act as watchers. The second day another desk was added for the functions of a speaker's bureau. The fourth day the enrollment of canvassers began, and the fifth another desk marked "organization," was set up. By the end of a week temporary cloth screens were put up to separate the various departments like so many bathing houses with an aisle between them. These screens were speedily hung with maps of the city, which grew larger and more checked and marked as the campaign progressed.

To these quarters came daily volunteers to be registered as watchers or canvassers. At the end of a week, the nominating petitions

on file at the county clerk's office were gone over and a letter sent to every one of the signers asking them to report for work to the leaders of the districts. To this one letter, five or six hundred men responded. Before election day the plan which had been at first rejected as utterly impracticable, was an actuality. Practically the Tammany or Republican organizations had been duplicated in the interests of the independent candidate. The central headquarters were in instant communication by wire with every part of the great machine, and though the telephone bills were staggering this proved one of the best of investments. There were captains for all but about fifty of the 1,116 election districts. There were between 1,500 and 2,000 watchers for election day, making one for every polling place and two for most of them. Party watchers usually receive \$5 for their day's work. These all served without pay. In some districts, to be sure, the captains also acted as watchers, but this was by no means the rule. It was an organized and disciplined army, in short, that fought the successful fight for Jerome.

The Jerome campaign has been called a college men's campaign. It is true that the typical Jerome worker was a young man of

education. Some undergraduates, even, came from the colleges in and near New York city, and were enrolled as watchers. The leader of a district east of Central Park—one of those in which the Citizens Union organization had ceased to exist—himself an Irish Roman Catholic, pressed into service the young men from the Union Theological seminary, and found them very efficient aides.

But the army was by no means made up solely of these classes. The appeal to signers of the nominating petition in particular brought forward numbers of men who had not been everlastingly preached to, as every college graduate has, about their duty to participate in public affairs, and whose help was for that very reason in some aspects more significant. There were clerks and salesmen. and to some extent mechanics. More than one stenographer from some down-town office gave his services at headquarters in the evening after his regular day's work was done. There were no greater Jerome enthusiasts than the chauffeurs of the automobile patrol which was established over the city on election day and before.

Mr. Jerome has been criticised rather severely for his failure to make a full state-

ment of the receipts and expenditures of his campaign. He did take advantage of the technical phraseology of the law to file a declaration that he personally spent nothing at all. The reason for this was a sense of obligation towards contributors who desired to remain anonymous and the desire to avoid controversies which might have arisen had the list been published with indefinite designations or blanks. Really there is no chapter in Mr. Jerome's career which should give him more unalloyed satisfaction than the raising of that campaign fund. If the practical work through the districts was on a democratic basis, its financing was not less so.

There were, in theory at least, three separate funds. The Citizens Union had one, the Jerome nominators had one and there was a third which was spoken of as "Jerome's personal fund." The Citizens Union issued on October 17th an appeal for \$50,000, announcing its intention to "associate with it a number of well-known citizens." The Jerome nominators two days later asked for \$65,000. They, as the call for funds explained, "have no organization, but are simply a body of workers dependent for funds upon those who believe in a fearless and honest administration of this most important office." The money began

to come at once, and it is the proud distinction of this campaign that it did not come in large corporate checks, but in small amounts from individuals whose hearts were in what they sent. The largest check received was for \$5,000. The smallest item was a "lucky penny." The figures for the three funds were as follows:

Citizens Union Jerome Nominators Personal fund	47,857.21	Number. 416 1,506 521
Total,		2,443

The average contribution, then, was only \$48.29. It took a thousand of them to equal the amount given by single insurance companies in any of the last three national campaigns. Yet there were beyond all question very many more than 2,500 actual donors. Checks entered as single items were often in reality made up of many smaller sums. Thus one check for \$2,500 was the contribution of the hundreds of employees in a large publishing house. A substantial check from the Cotton Exchange was made up of dozens of twenty-five dollar and ten dollar contributions. Some of the newspapers which received money for the

fund merely turned in the aggregates to the treasurers so the separate items never went on the books at all. The treasurers of the three funds agree that it would be well inside the truth to add one third to the number of individuals contributing to the fund, and place the average contribution not much over thirty dollars. Party organizations that have assessed office holders a percentage of their salaries and thus received odd small amounts could perhaps produce an apparent parallel to this showing. Otherwise the first Lincoln campaign may furnish the nearest precedent.

Much of the "human interest" of the campaign centred from the very first about these collections. There was a story in almost every one. A professional gambler walked in one day with \$50 for the Jerome fund. "It's for the 'square deal," he said. "Didn't Jerome close you up?" asked Mr. Corwine, the treasurer. "Sure," said the visitor. "But he closed up the fellow across the block, too. There wasn't any big fellows running down town with a wad and then opening up again." A Sixth Avenue saloon-keeper volunteered \$25 with much the same explanation. A strange man handed over \$45 in bills. "Forty of that's Tammany

money," he explained, "and five's mine." When questioned, he said that he had lunched that day with eight of his friends all of whom were minor Tammany office-holders. The talk naturally running on the election it came out that, though all were loyally for McClellan, every man of the group was for Jerome, too. They had thereupon decided to contribute five dollars apiece and had turned the purse over to the only non-organization man present to deliver. A newsboys' club in an East Side settlement made up between four and five dollars in pennies, and Mr. Jerome himself procured a copy of the membership list so that he might acknowledge the contributions individually, even though the leaders had confessed to one of the settlement workers that they had "licked any kid what wouldn't chip in." Again, a workman in overalls hurried into the Union Square headquarters at the noon hour and slapped his hand, palm down, on the table. "Here's something for the old man," he said awkwardly, and fairly ran out of the place, without waiting for thanks. He had left a silver quarter. Two office scrub-women were waiting one morning for the treasurer's office to open. One had brought one dollar, the other two, and they offered it freely to help

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the man who had done so much to protect the daughters of the poor.

There was a humorous side to the collections, too. A big florid-faced Irishman approached the treasurer most secretively, insisting on a private interview in one corner. He brought a substantial contribution but absolutely refused to tell his name. Finally, shaking hands and refusing to take a receipt, he started to leave, but at the door turned around with a flourish. "My name's and I'm from the —th district. Now do you know why I don't want my name mentioned?" He had given one of the most potent names in the Tammany hierarchy and had located himself in a stronghold of the organization. That was money from an unexpected quarter, but a large number of bills and checks came from outside of New York City entirely. The westernmost point from which donations were received was Seattle, the easternmost, Paris, France, and the southernmost, New Orleans. The middle west was especially notable for the number of small contributions. So this campaign fought in only a part of a single city, came to be one in which the whole nation gave a helping hand.

No one has ever complimented this Jerome

campaign more highly than some of the "practical" party politicians who felt its strength from the other side. It was conducted by men of ideas. The automobile patrol already referred to was one of these. It proved so effective a method of keeping the machinery in condition during the strain of election day, that the example is likely to be copied. Polling places are spread over a large area, all manner of unforeseen contingencies are likely to occur, and few details of political management are more difficult than the proper supervision and adjustment of the party's representation on election day. The Jerome workers provided for this by dividing the county into more than a dozen inspection districts and assigning an energetic worker in an automobile to look after each one. Nothing is more typical of the intelligent, careful style of campaigning than the clear, lawyer-like instruction given to the watcher's patrol. A bit of it is worth quoting:

"There must be one capable and intelligent watcher at every polling place. To secure this by shifting of watchers and calls from the reserve corps is the first duty of the watcher's patrol.

"Each patrol should begin his first tour immediately after the polls open. He should

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carefully note the condition in each district and after completing the round at once report by telephone concerning watchers to Mr. Fay and concerning the placing of signs and instructions to Mr. McCook. These reports should be concise.

"Immediately after the first report, the patrol should return to districts where defective conditions were observed. See if they still exist and, if so, strive to remedy them. By two o'clock he should report whether all the polls are manned. By five o'clock two Jerome watchers should be ready at every polling place ready for the count."

One lesson was instilled into the force of Jerome watchers which it would be well if every body of soldiers in the good fight could learn equally well. That was the old but never outgrown truth about the effectiveness of a soft answer. Jerome's representatives did not lose their tempers, they did not go into the polling place with the preconceived and expressed belief that they were going to be cheated, they knew their rights and the terms of the election law and they minded their business. And this meant more than the outsider might suppose. The average New York election board, half Democrats and half Republicans, earning their statutory per

diem for three days of registration and the election itself, is a most inept organization, but on the whole it means uncommonly well. It sometimes seems as if deaf men, men with writer's cramp, obstinate men and men constitutionally behindhand were sought out for the express purpose of conducting the election. As conspirators they are rather on the comic opera order.

"Look here, there's one apiece, and it won't make any difference. Let's count them all," was the suggestion of an election clerk when three illegally marked ballots had been laid aside, one marked for each of the mayoralty candidates, with Jerome for district attorney on all three. He seemed both pained and puzzled when the Jerome watcher objected and insisted on having them thrown out.

Mr. McCook, a former member of the Republican county committee who was in general charge of Mr. Jerome's organization through the campaign, jokingly said at the congratulatory banquet that the hot coffee and sandwiches which the Women's Municipal League sent to the polling places during the long hours while the ballots were being examined was a very great help in securing a fair count. There was no joke at all conveyed in the suggestion

"Joyousness" was the word used by one of the men most active in this wonderful campaign to express its pervading spirit. Men who had intended to devote their spare time to the work found themselves dropping every other interest and working for the cause almost night and day. But those who could not afford this sacrifice gave such time as they could in the same spirit. There never was harder work; there never was more disinterested work. Nine-tenths of the workers the day after election had no thought of asking or claiming reward of any sort. And the whole Jerome organization, which some wanted to perpetuate as an independent body and might in time have become a Pretorian guard of politics, dissolved by the common consent of its members the very day its task was done.

All this happened in the city which its neighbours are fond of calling self-satisfied, cynical, and money-loving. And it can fairly be said that no public man ever received a more tremendous tribute than did Mr. Jerome in the very nature of the campaign made for his reëlection. This narrative is confined almost wholly to the details of the organization that sprang into existence so suddenly in the interests of the independent candidate. A

good deal has been written about the mustering of watchers and district captains, but the speaker's bureau's barely mentioned. That is because the Jerome campaign was not an effort to persuade New Yorkers to vote for Mr. Jerome. It was simply an effort to aid and encourage New Yorkers who already desired to retain him for their district attorney. It was a unique canvass in that it proceeded on the supposition, never once departed from, that every intelligent and high minded voter was in favour of Jerome to begin with.

The people unquestionably wanted a chance to vote for him. Yet the Tammany convention met on October 12th and Mr. Charles F. Murphy made it nominate some one else; the Republican convention met on October 13th and Mr. B. B. Odell made it nominate some one else. Even Mr. Hearst, who ran for mayor on a platform in which opposition to bosses was a prominent feature, had his personal counsel on his ticket for the district attorneyship. The bosses had long before secured for New York state a form of ballot which placed a tremendous premium on regularity and straight party nominations. No independent candidate nominated by himself in a special column in a state using that style of ballot had ever, so far as a study of election returns shows, been elected to any office representing a wide area or a large population. Great numbers of people who sincerely wanted Jerome were unquestionably ready to give his cause up as hopeless when he failed to secure any regular party endorsements.

So the Jerome organization did not say, "Mr. Jerome is our candidate and you ought to vote for him for this and that reason." Its appeal was rather: "The bosses have attempted to rob you of your chance to vote for the candidate whom you all want. Are you going to let yourselves be discouraged and strengthen the hold of these bosses for all time to come? It is perfectly possible to elect Mr. Jerome without the help of any party and we will show you how to do it." So it came about that arguments why to vote for Jerome were entirely subordinated to directions how to vote for him. The dead walls and street car signs which four years before had shown forth the legends of the Reform campaign, "Vote for Low and Jerome and keep the grafters out," were now covered simply with facsimile ballots of all sizes up to the sixteen sheet poster. "How to vote for Jerome and the Republican ticket," "How to vote for Jerome and the Democratic ticket,"

"How to vote for Jerome and the Municipal Ownership ticket," "Do not mark in this circle," and the like.

On a single order three million of the small sample ballots were printed, with directions for voting in English, German, Italian, Yiddish and pure Hebrew. Triple advertising spaces were secured in every surface, elevated or subway car in Manhattan and the Bronx, and two weeks before election another contract was made for every foot of unoccupied bill-boards in the same territory.

It was really not the rival candidates that the Jerome workers were combatting, but the great American tendency to swallow a party ticket whole. Mr. Flammer, the Republican candidate, formally withdrew twelve days before election "in response to what I recognize to-day as the sense of the majority of the best citizens of the community," and the county committee endorsed Jerome, yet, by a peculiar provision of the election law, Flammer's name remained on the ballot and 13,348 citizens, unwilling or unable to go to the trouble of splitting their tickets, voted for him just the same. The fact that there is no educational qualification for voting in New York, partly explains the elaborate instructional work which was necessary before voters

would perform what is really a simple enough operation in voting. And yet the watchers at the polls reported little if any advantage of the educated over the uneducated when the puzzle of the ballot was concerned. college graduate was about as likely to mark it the wrong way as the illiterate voter who had studied his sample ballot beforehand. It was in spite of blunders that the day was carried. Jerome's vote was made up of about three-eighths who voted for Ivins, the Republican, for mayor, three-eighths who voted for Hearst, the Municipal Ownership candidate and one-fourth supporters of McClellan, the Tammany mayor. It was in the most literal sense a victory for the people, without regard to old affiliations.

VI

FOLK AND HIS FOLLOWING

HE convention which nominated Joseph W. Folk for governor of Missouri, was held in dog-days weather and Jefferson City was as hot as a western river town can be. Everybody was dusty and thirsty and the question of how to keep endurably cool almost distracted attention from the real issues of the convention. So it was not an insignificant fact that on one of the upper floors of the hotel which housed all the candidates there was to be found a great galvanized iron tub of ice water and a tin dipper to drink it from. The coffee-coloured water of the Missouri River when it is filtered, as this was, is as sweet and pellucid as any in the world, and this tub was as grateful as a perpetual spring.

Mr. Folk is the last man to trouble himself about symbolism, and yet that tub of ice water kept brimming when every variety of more elaborate summer beverage was being dispensed somewhere in the building, would have made an excellent emblem for the Folk



JOSEPH WINGATE FOLK

Born, Brownsville, Tennessee, October 28, 1869. Graduated Vanderbilt University, law department, 1890.

Practiced law, Brownsville. Moved to St. Louis, 1892. Arbitrated Street Railway strike, 1898. Elected Circuit Attorney as Democrat, 1900. Elected Governor of Missouri, 1904.

"A revolution is being wrought in the conscience of mankind, and this is only its beginning. The fight for city, state and nation must be kept up with ever-increasing vigour."



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movement and even for Mr. Folk himself. unpretentious, if you please, refreshing and satisfying. The outsider's preconceived notion of Folk is apt to be ludicrously incorrect. He is a small man, his manner is not masterful at all, but altogether easy and affable. while instead of having the set jaw with which the fighter for righteousness is endowed by convention, he is smiling a great deal of the time. His voice, too, is soft and agreeable revealing a trace of his southern rearing. His face is round, rounder now than it was in 1904 for he has taken on flesh since he became governor-his hands and feet small and his dress rather conspicuously neat in its details. He has not Weaver's chin nor Jerome's stinging voice, nor indeed any "tag" in the way of a noticeable physical peculiarity. And yet a stranger who saw this man without knowing who he was or what he had done would certainly be a long time forgetting him.

No one thing about Folk is more impressive than his total freedom from that form of affectation which it is a little uncharitable to call posing since it merely consists in trying to appear as nearly as possible as one's constituents would like their fearless representative to appear. Mr. Folk makes no more

effort to be other than his natural self on the platform than at home. When he was picked out for his first office, the circuit attorneyship, and told the committee who waited on him that he did not want the office but would do his duty if he were placed in it no one supposed that he meant any more by it than the ordinary official platitude. He told them that deep purpose, doubtless, in as quiet a way as if he were announcing his intention to go out for luncheon at twelve o'clock every day.

Nicknames bestowed by opponents are occasionally highly descriptive, but "Holy Joe" which the scoffers have taken to calling Folk is a ludicrous misfit for the sense in which they mean it. Perhaps at first sight there is a suggestion of the clerical about his manner. But there could be no one farther removed from the sanctimonious or self-righteous. He does not lay down the law, he does not thunder. He simply explains in plain language the dangers which he has detected during his political experience and the calamitous results that are sure to follow if these evils are not checked. It is the quietness, the simplicity of it that is impressive. Because this story is begun with a reference to the convention which nominated him for governor, there may be quoted for an example of his style of speaking, his impromptu remarks accepting the nomination, delivered at four o'clock in the morning, just before the dawn lighted up the beautiful stretches of the Missouri River.

"The responsibility for the existence of corruption does not rest upon either party, but the Democratic party has assumed the responsibility for stamping it out, and we want all good citizens of every political belief to aid us. The battle against boodle has only begun in Missouri. If I am elected to a larger opportunity, I propose to make Missouri the most unhealthy place in all the land for a corruptionist to operate in. There is work to be done in this State, in moral, material and intellectual advancement, which you have commissioned me to do. The commission is a sacred one and I shall observe it as such. Here in the presence of this great multitude, I consecrate myself to the work you have assigned to me, and with your help and as long as God gives me life and strength to do it, will combat all things that dishonour and oppress."

It is one of the most frequently recounted incidents of Mr. Folk's career that the information which led to the first of his boodle prosecutions was contained in a newspaper item, regarding a fund deposed with a certain bank for use in securing the passage of a certain ordinance. But the real significance of this story does not lie in the fact that it was an accident which set the legal machinery in motion, nor that newspaper reporters are preternaturally acute, but that in the city of St. Louis in those days corruptionists were so bold that, for the purpose of plots among themselves they were not afraid to throw out hints like that publicly. The ten line item which was the first inanimate agent in adding twenty names to the list of thirty-four persons convicted of bribery in all our States and cities during fifty years was published in just the same way that stock jobbers set afloat rumours that will be caught at by their own kind. But imagine a city where corruption was carried on in the spirit and with the ordinary accessories of mere stock speculation!

"This campaign has been urged not for a man, but for an idea," was Folk's own phrase. It was exactly true, yet it would hardly have been true if he had used the more conventional phrase of self-effacing candidates and declared that any other Democrat would have been equally fitted for the task. He began his work at a time when St. Louis was far from

being ready for it. That is another way of expressing the "shamelessness" which Lincoln Steffens found in a citizenship that kept convicted boodlers actually in office. It constitutes the fundamental distinction between the Missouri "revolution" and others typified by that of Philadelphia. Folk is not a man who happened to be in office at a time when the people demanded the suppression of such and such public evils. Not only did he begin his great work on his own responsibility against advice and common prudence and all the manifold forms of "pressure" which allied business and politics can exert, but when reluctant support did come, it came most effectively from outside the city for which he had done so much. Private citizens supplied the special funds for his boodle prosecutions, Mayor Wells individually making one of the largest donations. But the city as a whole responded slowly.

So the "Folk movement" was not a phenomenon simultaneous with Mr. Folk's own work in office, but came after the first stage of that work was over. Nevertheless, it is in itself one of the most important and significant parts of the general upheaval.

It was the standing joke of the nominating convention of 1904 that the delegates knew

neither each other nor the politicians who for a generation had led the party in the State. A seasoned worker who had attended a dozen State conventions in his time remarked that out of forty-four delegates from his district, he was personally acquainted with just eight. That was concrete evidence of the fact that a new set of men were dominating the Democratic party in the State. These men, who had responded so loyally to Mr. Folk's appeal, were not politicians at all in the ordinary sense. The retainers of the old régime twitted them with their innocence. Stories like this were told: In Howard County, the home of the State treasurer then in office, the convention had instructed its delegates for Folk and was finishing its routine business when some one offered the customary resolutions commending the retiring State administration. It was promptly voted down. "What on earth did you do that for?" asked a sophisticated friend of one of the Folk partisans who controlled the convention. "You've nothing against Bob Williams, and here you have turned him down right in his own county." "His own county," exclaimed the other. had no idea he lived in this county."

A large share of the Folk delegates were farmers whose tanned and furrowed cheeks were sufficient badges of their calling. "These tall red men with the single Folk badges are the ones to look out for. They are ready for anything," commented a local observer, contrasting the simon pure Folk men with the "good fellows" who had pinned Folk badges beside those of candidates for minor offices who belonged to the older school of Missouri politics. These farmer delegates were, indeed, ready for anything. The story got about a week before the convention that they were going to bring their shotguns and use them if necessary rather than see their victory stolen by fraud. They did not need to go to this extreme, but one who saw the men of that nominating convention can easily believe that they would not have stopped at bloodshed if it had been necessary to protect their rights.

Jerome, as we have seen, was the choice of his own townsmen and neighbours. Folk, after making his record as prosecutor of corruption in St. Louis, had to make his appeal to outsiders. "Does anybody suppose," asked Hawes, the rival candidate, before the Credentials Committee, "that Folk could have carried the 'Kerry patch'?" Not merely from the "tough" quarters, but from most of the city for which the circuit attorney

had done so much, anti-Folk delegates were sent to the convention. James J. Butler, son of the old boss of St. Louis and twice unseated as congressman, gave to one of the newspapers an interview which expressed Mr. Folk's plight in the city in a way that was illuminating as well as droll. "Why, in one of the wards in which they have announced contest," he said, "the truth is that Folk did not get a vote. It looked so bad that we thought people would say it surely was a game, so we just credited him with a few. If that ballot box is opened now I say now that not a vote will be found in it for Folk."

There cannot be many instances on record in which a politician has confessed tampering with the returns in order that his opponent might make a better showing.

It is not fair to the city of St. Louis to attribute the anti-Folk victory in the primary solely to indifference and lack of sympathy. In the actual election Folk carried the city, with the aid of a great many Republican votes, by 10,000, or three times Roosevelt's plurality. Intimidation on the day of the primary had much to do with it. Numbers of "good citizens" did not get to the polls at all. The election machinery was all in the hands of the old machine men, and the story had got

about that gangs of thugs would be allowed by the police to do very much as they pleased around the polls.

The old saying that in politics every rotten egg makes votes for its target had its full application here, however. There was no better Folk document than the story of the convention in St. Louis County-which is not the same as the city but near it. The Folk men who controlled the committee were actually afraid at first to announce the place of that convention for fear that it would be packed by St. Louis "Indians." Their fears were only too well grounded, for the "Indians" did descend upon the Clayton court-house, where the convention was finally held, broke in the door, dragged the chairman from his place and furiously assailed not only the Folk delegates but the newspaper photographers whose pictures of the wild scene might have been the means of identifying some of the notorious characters among the invaders. That story filled the rural delegates with a horror of "city politics" that, in its final stages, was almost amusing. It showed to the State and to the whole country just what Mr. Folk was "up against." Ministers representing every denomination signed an appeal to the State to punish the candidate in

whose interest such an outrage was committed.

And to that appeal the country districts had responded. Mr. Folk himself once jokingly said that every farmer in the State with a beard more than two inches long was for him. Folk's was not a campaign of bands and red fire either before or after his nomination. There was neither money nor occasion for these customary accessories to a "whirlwind campaign" when in the raw days of late winter the circuit attorney started out for his speaking tour. There were not even other orators, or if there were they did not count. It was Folk himself whom the people wanted to hear, and he had simply gone forth to show himself to the people whose help he was asking in one of the greatest works any American had undertaken in a generation. A sobering situation, as some one has expressed it in a line, was dealt with in a sober way. Folk's platform was "Thou shalt not steal." His speeches were friendly talks. His audiences were drawn from all the countryside within literally thirty miles of the town where he happened to speak. Probably every country audience to which he spoke contained farmers who had ridden twenty miles to hear him. The ordinary atmosphere of a political meeting was exchanged for one almost religious. When the talk was over and the meeting broke up there was a quiet pressing forward to grasp the new leader's hand, a few "God bless yous" and the audience turned homeward determined, indeed consecrated, but with hardly a thought that the conventional cheers were the proper ceremonials for ending political meetings.

There are 114 counties in Missouri and before election Mr. Folk had spoken in all but four of them. Here is a single day's itinerary as quoted from the newspapers by J. J. Mc-Auliffe in a magazine article at the time:

"Mr. Folk arrived in Harrisonville at five o'clock this morning, having left Jefferson City at two o'clock. He slept perhaps an hour on the train and two hours after arriving in Harrisonville, making three hours sleep in all. At eight o'clock he was in a carriage and drove to Freeman, twelve miles away. Here he spoke for nearly two hours to an audience that overfilled the hall. At noon he was once more behind a team going over the hard dirt roads to Drexel, eighteen miles. It was shortly after three o'clock when he faced his large audience there and spoke for an hour and forty-five minutes. Supper was taken and again Mr. Folk waved his friends

farewell from out the carriage in which he was seated. To Everett he drove, fifteen miles away, where another rousing meeting was held. Shortly after nine o'clock Mr. Folk climbed into another vehicle and drove sixteen miles to this place where he boarded the train at midnight for Kansas City and Andrew County. Or, to sum up, from eight o'clock this morning until 11:30 o'clock tonight, Mr. Folk spoke nearly six hours, besides driving sixty miles."

There is another of Mr. McAuliffe's stories worth repeating here. "It was just after a speech in one of the rural districts. An old Missouri farmer had sat stolid and apparently unmoved in the front row listening imperturbably to all that Folk had to say. As he rose to go he stepped forward to the platform. Folk held out his hand, but the farmer stood irresolute.

- "'Say, Mr. Folk,' said he, 'are you a Democrat?'
 - "'Yes,' said Folk, 'I'm a Democrat.'
 - "'Do you believe in the Lord?'
 - "'Yes, I believe in the Lord.'
- "'Well, then,' drawled the farmer, 'I guess you're all right.'"

His scrap-book of political clippings to-day embraces sixteen five hundred page folio volumes, tangible monuments to the man's plain industry in carrying on his cause.

In the Jerome campaign was seen the potency of a complete independent organization framed in the interests of reform. In La Follette's Wisconsin fight a well organized faction within the party obtained control of its whole machinery. The Missouri victory was in an entirely different class. The Folk men prevailed, as an active worker among them expresses it, "by inert force of numbers." There was no question of "discipline" about it.

For a generation the state of Missouri had been governed by an oligarchy of politicians, as arrogant and autocratic a group, perhaps, as any part of this country has known. This "crowd" held practically every office in the state, and, with almost negligible exceptions, every office holder from the supreme court down to the township constables was opposed to Folk. These seven or eight thousand officials were, to all intents and purposes, the Democratic party as it had existed in the state. Yet it was that party's nomination which Mr. Folk, a lifelong Democrat, was seeking. All the shrewdness and political sagacity was against him, but had it been ten times greater it would still have

been powerless in the face of that unorganized uprising of 1904.

What happened in one rural county happened in all. The farmers and small business men who for years had allowed the "county seat politicians" to conduct the affairs of the party whose ticket they voted realized for the first time how their trust had been betrayed. They did not form marching clubs and carry banners around the streets. But when the day for the local primaries arrived, these men, who had come away reverently from Folk's meetings, gathered with the simple prosaic purpose of voting for Folk delegates. In some counties they overcame the "old crowd" two to one, sometimes by twelve to one. "Jim" Butler's boast, already quoted, about the St. Louis precinct where Folk had no votes at all, is offset by the story of Henry County where one of the anti-Folk candidates, though a native of the county, got only nine votes.

Argument and abuse and chicanery were equally futile. Yet, as a matter of fact, the desperate politicians adopted a kind of strategy which, under the circumstances, merely helped on the Folk campaign. Instead of picking out one candidate of their own, they had three, the president of the Jef-

ferson Club in St. Louis, the popular mayor of Kansas City and a supreme court judge with a Confederate War record. The intention was to draw votes through the individual popularity of each of these men and unite on some one after Folk was beaten. Instead. these tactics merely supplied complete proof that the opposition to Folk was purely negative and gave the opportunity for one of the cleverest thrusts of the campaign. Folk compared the method used against him to that venerable swindle, the "shell game." "The machine handles the shells," he said. "When I was in Randolph County the three shells were placed before me. I picked up one and found nothing. Another and found nothing. Before picking up the third I stooped down and listened. I heard something about the 'woody dells of Missouri, the limpid gurgling streams, with blue-tinted skies'-and I knew it was Reed. In Jefferson County I picked up the second shell and found beneath it the lovely curly locks of Harry Hawes. Under the third shell in Cooper County, I saw the judicial ermine of a supreme court justice, Judge Gantt."

And now comes one of the most extraordinary features of the Folk movement. The farmers who put him in office did not heed

the stock political advice to the good citizen, "always attend your primaries and never relax your vigilance." Already they have very largely suspended their political activity. County conventions and state conventions have resumed their old appearance. Elected delegates are staying at home and sending proxies as in the past and they are in the hands of members of the old "crowd." The familiar faces have returned. Yet, strangely enough, these conventions endorse Folk as unanimously as if they were composed of his original partizans. The state convention of 1906, though the Folk men of 1904 were present in greatly decreased numbers, observed the governor's wishes in every particular. The situation was expressed shortly after that convention in the letter of a man active in Missouri politics, "Even Folk's bitterest enemies fear that there is something back in the woods that will come out and devour them if they don't do the right thing." One revelation like that of the power which the plain citizens hold over the politicians whenever they care to exercise it, ought to last for another generation. The old politicians may be again in the saddle, but it will be many a day before they venture to ride as they did before their tumble.

VII

THE ENFORCEMENT OF LAW

O-DAY Missouri is probably the only state in the Union without a dead-letter law on its statute book." This was the tribute of William Allen White, the epigrammatic Kansas editor, to the work of Governor Folk. He was paying the highest possible tribute to an official who did not want to reconstitute society, who had no panacea for public ills, and who went into office with only the briefest programme of new measures which he wanted passed. Of course this does not mean that Mr. Folk was satisfied with the laws as he found them. In fact no previous governor of Missouri ever did so much to secure new and good statutes. He secured the repeal of the "breeders' law" which legalized race-track gambling in the State, signed the first maximum-rate bill passed in Missouri in twenty-five years, abolished the enormous fees of his appointee, the St. Louis excise commissioner, and placed that official upon a fixed salary, forced the passage of a law extending the statute of

limitations in bribery cases from three to five years, and identified his name with measures relating to such other subjects as compulsory education, the right of action for the death of unmarried persons, and the reform of negotiable instruments. Still, his main achievement was the vitalizing of laws to which the State had hitherto given scant attention.

The anti-pass law was one of these. members of the Legislature and the executive officers of the State had been riding generally on passes issued by the railroad companies as they had in Wisconsin and probably a majority of other States. Governor Folk stopped this. It affected only a small fraction of the people of the State in any case. But at almost the same time he took up the enforcement of a law which did directly affect the personal desires of some hundreds of thousands of Missourians, that which prohibited the Sunday sale of liquor in the large cities. St. Louis is the fourth American city, and Kansas City the twenty-second. St. Louis contains more Germans and children of Germans than any other American cities except New York, Chicago, and Philadelphia.

It has not been easy to enforce the law; it has required occasional warnings that the militia would be ordered out if all other means

failed. Yet the thing has been accomplished. The laws against gambling and the illicit sale of liquor, taking account of the relatively wider inclination to violate them, have been enforced about as well as those against arson or murder. Monday's newspapers in Missouri tell not of a thriving "side door trade" or open violations but of occasional petty and rather pitiful attempts to get around the law in a small way, as in the case of the Kansas City saloon-keeper who was caught selling beer in china bowls under the name of "soup."

The original cry that Folk was "defaming the State" was changed to the cry that he was "imposing blue laws" upon an unwilling people. From the attacks made upon Folk both publicly and privately one would have supposed that he was bringing the proud old commonwealth of Missouri to the verge of ruin. Yet the facts are that since he began his work the value of land in the State has increased by one-fifth, and the immigration from other States by one-fourth. As for hurting the cities to which the "lid" was applied, the railroad companies are given as authority for, the statement that the Sunday travel to St. Louis and Kansas City increased by ten per cent. since Sunday closing became a fact. The last statement of the prevalence of crime

in the cities shows that, under a police administration which grew more rather than less efficient in taking up offenders, the number of arrests decreased in St. Louis from 30,560 in the official year 1904-1905 to only 26,225 for 1905-1906, or fourteen per cent. That was the second record of reduction, the year 1904-1905 itself showing a reduction of nearly fifty per cent. in arrests for assaults and common disorders since 1902.

Thus there are at least plausible grounds for arguing that, apart from all moral aspects of the case, reform has been an excellent investment for Missouri. But whether that be true or not, it is not the reason why Governor Folk went so far out of his way to enforce a presumably unpopular law. His reason was simply that the people of Missouri who put him in office, and commissioned him to enforce all the laws, had also, through their representatives, enacted that particular law, and the question whether he, their chief servant, liked it or not, had nothing whatever to do with the case.

"With an executive official," he has said, "the question should not be whether the law is a good law or not, but it is his duty to enforce it as he finds it. Those interested in having the law violated set up the specious

plea that it interferes with personal liberty. It is no more an interference with personal liberty than any law that restricts the acts of men in accordance with the rules of civilized society. If one would like to see men whose personal liberty has been interfered with, he can go to his state penitentiary and there find them in abundance."

That pronouncement agrees well with Theodore Roosevelt's declaration, when police commissioner in New York ten years before, that "the best way to repeal an obnoxious law is to enforce it." Yet the New York liquor laws, in regard to the Sunday closing of the ordinary saloon have neither been repealed nor enforced. Regulations of this kind are the despair of municipal reformers everywhere. Mr. Jerome, whose career is compared to that of Mr. Folk in so many ways, is perhaps the leading exponent of the idea that they are substantially non-enforceable. "There should be two statute books," he has recently said. "In one could be incorporated those moral yearnings of the rural communities, while in the other could be placed laws for human beings." When he was first a candidate for district attorney in New York he urged incessantly the crying need for laws that could be enforced. The police blackmail which had disgraced the city he traced directly to the fact that the people did not really want their Sunday laws, for example, enforced. Since examples had occasionally to be made of violators nevertheless, the sale of immunities was not only easy but almost inevitable. Therefore Mr. Jerome favoured strongly the amendment of the excise law so as to permit the sale of liquor on Sunday except during the hours of church services. He also favoured the outright repeal of the law making it a crime to maintain a disorderly house, in order that these places might be dealt with thereafter under the general law of nuisances. The legislature never heeded either of these suggestions. As the district attorney declared later, "I am sore with banging my own head against unenforceable laws."

Mr. Jerome's view of the hopelessness of enforcing laws and ordinances dealing with dram-selling and gambling and the like is very widely held. Beyond question, the statutes dealing with these subjects do not always represent what the people who made the laws really want done. Nevertheless, Mr. Folk is not alone to-day in the conviction that bad and unpopular laws as well as good and popular ones ought to be obeyed and can be enforced. For illuminating illustrations of

this we may take the experience of Minneapolis with the gambling and Sunday laws, and the campaign of Secretary Hitchcock against the violators of the Federal land laws.

Minneapolis, after the indictment of its mayor in 1902, had for its temporary executive David Percy Jones, a "silk-stocking" alderman. The scandals which had disgraced the Ames administration had been chiefly in connection with the police department. The toleration of practices and pursuits that the law prohibited had produced perhaps more than its usual demoralizing effect. Police blackmail had become an art. The various "necessary evils" of a great city had been yielding generous profits to a group of high officials. When the acting mayor took control of affairs, therefore, it was natural enough for him to attack public gambling and the illicit sale of liquor, almost at the start. But he adopted his policy of repression with openly expressed doubts as to its practicability as a permanent policy. As a temporary official, filling out an unexpired term in a crisis, he could afford to enforce the unpopular laws; for a regularly elected mayor with a full term ahead of him, Alderman Jones admitted that the case might be different.

The interest of these first views lies in the

fact that two years later David Percy Jones was himself a regularly elected mayor with a full term ahead of him. He weighed the situation carefully, and the result was that he adopted for a permanent policy—so far as a single administration could make it one—the identical principle of his months of emergency service. He attacked promptly the evil of public gambling, and stopped it, after a few months of vigilant work, driving out of the city one gambling house which had done business there for between fifteen and twenty years.

Then he gave attention to the saloons. The law forbade Sunday sales, but, as in most western cities, the saloons had been keeping open every day of the week. Mayor Jones did not content himself with trying to keep the individual patrolmen from taking money for failure to see the violations of law all about him. He ordered the saloons closed and he expressed his determination in a document so different from the stereotyped injunction for the force to "enforce all the laws" that it deserves quoting here in its main clauses:

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[&]quot;James G. Doyle, Superintendent of Police, "City of Minneapolis.

[&]quot;You are hereby ordered to give definite

instructions to the entire police force that all saloons or bars where liquor is licensed to be sold are to be closed and kept closed—front. rear and side—upon all Sundays, beginning Sunday, November 5, 1905, from the hour of midnight on Saturday until Monday morning. This order must be strictly and impartially carried out and I shall hold every member of the police department, from top to bottom, responsible for its execution."

"An ordinance which was reënacted with amendments designed to make it more effective as late as 1894," he said, "cannot be regarded as either a blue law or a dead letter"

The saloons were closed, but the most surprising development was still to follow. The mayor encountered the opposition and the threats that he had anticipated. His friends told him, as political friends do, that although the enforcement of law was all very well in the abstract, it would mean political annihilation to deprive Minneapolis of its Sunday potations. But support began to come from unexpected quarters. It is one of the commonest cries against our excise laws that their strict enforcement closes the "poor man's club," while the rich man can take his cocktail with impunity. It lost part of its

sting in Minneapolis when three of the leading clubs of the city, the Minneapolis, Commercial and Roosevelt clubs, following the mayor's action, voluntarily closed their own buffets, although they sold liquor on a different basis from the licensed saloons, and were not legally amenable to the newly enforced statutes.

Then the poor man himself did not always back up the saloon-keepers' position. Trades and Labour Council of Minneapolis is a federated body composed of delegates representing all the labour organizations of the city. At a meeting of that organization a delegate from the cigar makers introduced a resolution, asking the mayor to modify his order and permit the general sale of liquor during half the hours of every Sunday. Yet these working men voted approximately four hundred to fifteen against the motion. Mayor Jones even reported in a public address recently a conversation with the manager of the largest local brewing company in which that naturally interested man declared that he was satisfied the mayor's action was the best thing for the community and in the end "would not be a bad thing for the liquor interest."

As the people of our cities regard, or are supposed to regard, the laws restricting the

liquor traffic, so beyond all question, did the people of the far western states long regard the land laws. They were looked upon as a species of Federal blue laws which existed to be circumvented. An area large enough to make five states as large as New York. as the total has been computed, was systematically stolen from the public domain within fifteen years, these operations merely succeeding the dubious acquisition of enormous holdings in the now denuded forest lands of the Middle West and apparently to be followed by equal inroads upon the remaining lands in the South. Yet there existed no strong public sentiment against depredations of these sorts. They offered a common way of making money; it was considered a legitimate way enough.

Nor is it fair to consider the land thieves of the West as if they were violators of enlightened, just and carefully drawn statutes. None of these terms applied to the old land laws. President Roosevelt's commission reported in favour of repealing or modifying nearly all of them fundamentally. The laws were bad partly because they facilitated various forms of fraud upon the government, but also because they did not meet the requirements of the legitimate and nec-

essary use of the land. When it was stated on the floor of the Senate that nowhere in the arid regions could a man support himself from the proceeds of a three hundred and sixty acre tract, it showed not only that the claims of that size continually being filed under the desert land act could not be made in good faith, but also that the act in question failed absolutely to meet the needs of the actual settler. It was the same with the timber and stone act. No man could acquire under that law a tract of forest large enough to warrant him in building a sawmill.

Thus there could be made on every side a highly plausible plea for the evasion of the law: It would be utterly impossible to produce lumber if the lumbermen conformed strictly to the terms of the law which was supposed to regulate the holding of timber lands. It would be utterly impossible to raise range cattle if the cattlemen conformed strictly to the terms of the law which was supposed to regulate the holding of grazing lands. Yet these industries themselves were not outlawed. They were acknowledged to be sources of national pride. So the cattlemen and the lumbermen went ahead and carried on their business regardless of what

the statute might or might not provide. Elaborate and extensive systems of illegal homesteading, illegal fencing and the like were devised.

It had been written of the timberland manipulators that "the land office receipt for claim fees (upon land taken up by agents of large 'interests') is a sort of travelling card of a new and close fraternity; it identifies the bearer in the case of railway accidents and entitles him to brotherly care or burial; it earns his discharge from police court if he happens to be charged with having 'no visible means of support'; it gives him place and standing at once when he moves to a new town. An old soldier's honourable discharge isn't to be compared with it for efficiency." Naturally, having never tried to observe the law nor regarded its observance as a possible alternative policy, these men's operations grew more daring and more extensive. But the excuse at the bottom throughout was that the laws themselves made no proper provision for the carrying on of legitimate business. Offenses against them could be nothing more than "technical."

Yet from the time when definite information—which ought to have been obtained a generation ago, — including the confession of a disgruntled member of a coterie of land thieves, came to the Interior Department, these "technical offenses" have been followed up in a series of prosecutions which certainly has not a parallel in our history. Secretary Hitchcock and President Roosevelt, who gave unswerving support to his subordinate, have followed down the trails of evidence regardless of where they led. A senator and both the representatives from Oregon, one of the latter a former chief of the Land Office were among those prosecuted. As Mr. Hitchcock himself summarized his work:

"These investigations involved the arrest, indictment and conviction of more than six hundred individuals in more than twenty states and territories, including among the number some who had hitherto stood high in the communities in which they resided, numbering among them representative officials of high rank, United States attorneys, registers and receivers, commissioners, and a horde of allies who were found guilty of forgery, perjury and numerous other crimes against which the law, even with its many loopholes, makes specific provision."

These six hundred prosecutions represent

the most conspicuous effort in the national field to enforce a law or a set of laws, not because the executive officer thinks they are good laws, in all details, but because they are the laws. The very officials who have initiated these relentless prosecutions have worked their utmost to liberalize the laws in favour of the business interests that have been caught in the net. For example, there has been urged upon Congress a plan for selling the timber on large tracts without disposing of the land itself, a plan which would establish lumbering on a large and profitable scale without "necessitating" bogus entries or official connivance in the evasion of the law.

Even downright bribery was characterized by the defense in certain of Mr. Folk's prosecutions as merely a "conventional crime." It was a plea to which the juries gave scant consideration. But there ought not to be on the statute books any prohibition deserving of that name. Legislators should have enough moral courage to embody their real beliefs in the laws they pass. There exists, as has been pointed out, an honest difference of opinion as to the course to be pursued by an official charged with enforcing laws which accord with neither his

own beliefs nor those of the community he serves. Both parties to this controversy would unite in urging the need for revised enactments that do represent without evasion and without hypocrisy, the sober judgment of the people.





Photograph by Marceau.

The wear

JOHN WEAVER

Born in England, 1862.
Moved to Philadelphia, 1870.
Educated Public Schools.
Worked as office boy and clerk in department store.
Studied law in night course.
Admitted to bar, 1891.
Elected District Attorney as Republican, 1901.
Elected Mayor of Philadelphia, 1903.

"The great victories recently won by the forces of reform in the large cities, are only so many clarion calls to higher and nobler duty—to closer and more vital conflict with the enemies of good government." 1000 A

VIII

PHILADELPHIA'S REVOLUTION

OLK'S prosecutions in Missouri were started by a newspaper item. The Philadelphia revolution may be said, in somewhat the same sense, to have begun with a stock quotation. In the autumn of 1904 observers of the Philadelphia market began to note a curious movement in the stock of the United Gas Improvement Company. Not only was the price rising from \$90 to \$126 per share, but the volume of daily transactions increased inexplicably. Ordinarily a day's total sales would include only a few hundred shares. Blocks of five thousand shares or more now began to appear at intervals in the report of sales. There was evidently something going on beneath the surface.

The United Gas Improvement Company is a great corporation operating lighting plants in a number of cities in various parts of the United States. The Philadelphia gas works, owned by the city, had been leased to it in 1897 after the city authorities themselves, with deliberate purpose, as it is charged, had allowed the plant sadly to deteriorate. The original lease had been only one of a series of more or less questionable measures put through under the auspices of the all but omnipotent local Republican organization.

The prospect of an extension of the gas lease was obviously one of the things which would explain the rapid rise of "U. G. I." stock. The politicians and the financiers agreed, however, in denying that anything of the sort was contemplated until on the fifth day of April, 1905, the financial editor of the North American ventured to print the story that the gas plant was to be leased for an extended term. Although the exact facts were not known until nearly two weeks later, the paper at once characterized the proposal as a "steal."

Just what the organization proposed to do became common property before the first intimation of a lease was made officially. Nevertheless, councils solemnly went through the motions of driving a bargain in behalf of the city. Philadelphia, like every other community large or small in this country needed all the ready money obtainable. This was to be the "gang's" pretext. Charles Seger,

the leader, practically the floor dictator of councils introduced a resolution on May 20th which started with abundant "whereases" that funds were needed for schools, and grade crossings, and sewers, and all manner of other improvements, and requested the finance committee of councils to "confer" with the United Gas Improvement Company and see if its annual payments for the coming years could be "anticipated." The committee gravely "conferred" as ordered, and of course, reported the identical plan that had been conceived in secret months before, and actually printed in the newspapers nearly a week before.

If all other records were destroyed, the future historian from a copy of that gas lease ordinance alone would be almost able to reconstruct the story of the ring that ruled Philadelphia at the opening of the twentieth century, in all its arrogance, its greed, its swollen self-confidence, its cool disregard of the city's interests. It was the first great piece of good fortune that, at the very time when the people of Philadelphia were inwardly restless under their caricature of self-government, the ruling organization had become so bold and shameless as to put forward a job that was susceptible of no reasonable

defense, not even the most specious. The new lease was to run for seventy-five years, while the old had twenty-two to run; the city was to surrender for \$25,000,000 in cash, all claim to its share of earnings which for the same period were estimated at fully \$75,-000,000; it relinquished likewise its option to resume control of the gas works in 1907; while to crown all, the company which would have to supply seventy-five cent gas by 1918 under the old lease was required to make no reduction in the price of gas at all until 1928, and could maintain a ninety cent rate until the expiration of the lease in 1980. Yet, indefensible as these terms were, there was not one visible element in the situation to make an intelligent and level-headed Philadelphian doubt that the lease would go through exactly as planned. John C. Winston, chairman of the Committee of Seventy did write to ask a postponement long enough to secure a competitive bid. But only four years before Mayor Ashbridge had signed away street railway franchises without a penny of compensation, although a two and one half million dollar offer for the same rights was offered him in an envelope which he refused to open. There was no particular reason to expect more favourable results now. Though the

mayor was known to be of very different fibre, councils were still in the old hands.

The flagrant character of the lease has been called the first fortunate circumstance for Philadelphia. The second was the existence within the city of a body of men who had grown accustomed to fighting their hardest against corruption, even when in the full and constant expectation of being beaten. This was the contribution of the Philadelphia Municipal League which, as fate would have it, had formally dissolved just five months before the gas ordinance was introduced. This league had been organized in 1891, it had done work of all kinds in the city's interests, issued reports on candidates and measures, retained council to aid in the running down of election and other frauds, worked hard for ballot reform and civil service reform, fought hard against the original gas lease, and hammered away on the question of franchises in general. It was instrumental in calling the first of the national conferences now held annually "for good city government." As a recognized political party it had participated in twenty different elections. But while its vote had run as high as 58,000 in a total of 275,000, and it had occasionally elected some of its candidates, its history as a whole was simply the record of continuous struggle against odds that seemed hopeless. Its real service had been in the training up of men who fought for the right in municipal affairs because it was the right. If they had been men who saw good only in success they would never have stayed in the Municipal League. The organization itself had gone quietly out of existence, and yet almost every man connected with the finally successful uprising had had his training in that courageous minority which had followed so many forlorn hopes.

After the battle of 1905 was well under way a dinner was given by a company of old Municipal League members to one of their number, and the toast "To the Old Municipal League" was linked with the text, "Except a corn of wheat fall into the ground and die it abideth not, but if it die it bringeth forth much fruit." That embodied perfectly the mission of the League. One of the last acts of its existence had been the calling of a public meeting to provide some method for carrying on the work to redeem the city. The result of this meeting was the formation of the Committee of Seventy, and this Committee in turn organized the City Party. destined to be the agent through which the people expressed their wrath against the machine. Thus the most successful third party experiment known in this country grew directly out of the ideals of the older organization.

At the next point of the narrative two of these Municipal League men figure. The lease ordinance was received by councils in special session on a Thursday. It was scheduled to pass a week later. On Saturday evening Albert E. Turner, who had made the first newspaper disclosure of the plan, and Clarence L. Harper, president of a local trust company, on their own initiative, hired the largest hall in Philadelphia, the Academy of Music, for a mass-meeting on the following Wednesday. But some one had to call the meeting. The two men spent an entire evening at the telephone and by ten o'clock had secured permission to use the names of twenty-six men of prominence as signers to a call for a meeting in protest against the "disposal" of the gas works. Several of them, to their credit be it said, were stockholders in the Gas Improvement Company. The call was published in the Sunday papers the next morning. Before the date of the meeting, councils, anxious probably to put alternative bidders "in a hole," had consented to

a moderate postponement. More important, Mayor Weaver had written to be read at the meeting a letter stating that he would veto the gas lease if it were sent to him for signature. That did not mean a defeat for the lease, however. It required a two-thirds vote to pass an ordinance over the mayor's veto. It is a gross understatement to say that the organization counted on nine-tenths. the very day of the original passage of the gas lease, as it happened, councils were also to pass over the mayor's veto perpetual franchises for trolley lines over one hundred and ten miles of streets. But this letter of Weaver's marked the first formal appearance in the gas lease fight of the man whose aid was ultimately to bring about a victory of vastly larger scope than the most sanguine then anticipated.

The meeting of May 3d—called as it was on a sudden impulse—was the real starting-point of the crusade to follow. It was styled a "town meeting" and its attendance was beyond expectations. The speakers included some of the most distinguished men of Philadelphia. The famous Committee of Nine which thenceforward conducted the fight against the gas lease was appointed as a result of that meeting. Volunteers appeared

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there from all classes in the city. But what did more than anything else to put heart into the new movement was the sudden return from Hot Springs of Israel W. Durham, the machine leader, to take command of the situation in person, and the sudden drop of ten dollars in the stock of the Gas Improvement Company. Durham and his friends called the protest against the gas lease a "nine days' wonder" which would be over and forgotten in ten days. Yet these symptoms showed unmistakably that, whatever its members might say, the gang was inwardly disquieted. Of course the original programme was carried through. The lease was passed after a responsible banking firm had put in a rival bid offering the same terms as the U. G. I. Company with profit sharing for the city to boot, and a newspaper offer had been made to relieve the city's supposed temporary distress by special loans of fifteen millions. It was passed, moreover, after a "fire and brimstone" hearing, and in the presence of a gallery full of excited citizens who shouted "robber" and "thief" and "hang 'em" and shook their fists at the councilmen. The situation was undeniably unpleasant, but that it was anything more the organization saw no reason to believe. Hard words would break no more bones in Philadelphia than elsewhere. The "insiders" had bought U. G. I. stock or were having it carried for them at ninety to one hundred and twenty dollars a share. They had the "tip" to sell at \$135 or more. In that difference there was balm for even pretty badly wounded feelings. They were waiting for the disturbance to die down as other disturbances had died down, when something happened that had never happened before at any of Philadelphia's futile uprisings.

Early on the morning of May 23d, Mayor Weaver announced that he had removed his director of Public Works, Peter E. Costello and his director of Public Safety, David I. Smyth. These two officials controlled between them, many thousand appointments besides all the city contracts. It was through them that the machine maintained its grip upon the city. Durham and his "crowd" cared relatively little who might be mayor, so long as they kept their friends in these directorships. Their summary removal was the most dramatic and forcible notification imaginable that the mayor had broken definitely and finally with the Republican organization. From that moment the mayor became the central figure of the rapidly moving events in the city.

John Weaver, although he is known to the country now as the victor in the shortest and most decisive onslaught against a powerful ring in the records of American politics, is nevertheless naturally the easy-going member of the group of men with whom this account deals. He is the kind of man you would expect to find smoothing out difficulties, allaying resentments, compromising quarrels, speaking at congratulatory meetings instead of conducting a war without quarter. The truth is that when he was made mayor of Philadelphia, Weaver did for a long time try to run his office on those very principles. He was the last man to pick a quarrel, and sought, with the best possible intentions, to keep on good terms with everybody, to reconcile irreconcilable positions. He is the perfect type of the peace-loving citizen who, after making every sacrifice possible to avoid trouble, is confronted by a situation where there is nothing for him to do but fight, and then commands instant admiration by the display of his latent powers in that direction.

As a matter of fact, Philadelphia ought to have been better prepared than it was for Weaver's manifestation of determination and resource. There were events in his administration of the district attorney's office that really foreshadowed his conduct in this crisis. He had failed to secure a conviction in a particularly flagrant case of ballot-box stuffing. That proceeding taught him some of the methods at the command of the sinister influences in Philadelphia. When, just before the expiration of his term he had to prosecute certain school directors on the charge of selling appointments, he had guarded his juries, issued private warnings in the proper directions, and, what was a very wonderful thing then in Philadelphia, had actually secured convictions.

But the fact that Weaver knew how to get what he was after, once his eyes were opened, did not make him an independent. He was an exceptionally strong partisan in a city where some hundreds of thousands of other strong partisans had for years been condoning the misdeeds of "a corrupt and criminal combination masquerading as Republicans" as Elihu Root described the Philadelphia "gang." As such a partisan, certain to put up a creditable appearance, but unlikely to make serious trouble for the men who put him in office, Durham and his associates had picked Weaver out for the mayoralty.

Of all public officials in the United States,

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it might fairly have been said in the spring of 1905 that the plight of Mayor Weaver was the most pitiable. In his review of municipal developments throughout the country before the conference for good city government in 1904, Clinton Rogers Woodruff said of Mayor Weaver that he "confers with those who for years have been working for the city's welfare. This is a new experience." But a half-course did not satisfy the reformers, while the organization treated Weaver with utter contempt. He set aside an hour every day for interviews with councilmen, and they practically ignored him. Once when he went away on a vacation he insisted and received the promise beforehand that nothing should be done in his absence. He returned to find that seventeen ordinances had been put through without consulting him. The man was absolutely at his wits' ends. One of his four directors, Frederick I. Shover, Director of Supplies, a much less important official than the directors of Public Safety and Public Works, had urged the mayor almost a year before to break with the machine. He has framed to-day in his office a four-word note which came to him in the summer of 1904. "Perhaps you are right, J. W."

But Weaver had not acted at once. "The Lord stayed my hand," he once said of his wonderfully well-chosen time for striking. He continued to put up with criticism from the one side and snubbing from the other. But it is said that what stung him most of all was the action of the ministers of the city when in March they appointed an hour for solemn prayer in his behalf. He is a strongly religious man, a Bible-class teacher for many years in the Baptist Temple, and the thought that under him the city was in a plight where there was no recourse but prayer was more than he could endure. When reporters hurried over to the City Hall with the irreverent question, "How does it feel to be prayed for?" he could not, like some of his subordinates, turn off a light answer. The thing had shaken him profoundly.

All the Methodist ministers of the city, one hundred and twenty in all, had marched to the City Hall the day before his new Declaration of Independence, and the mayor had told them that he would "do his utmost." They did not know, however, that Weaver had been definitely threatened with impeachment only the day before. Presents had been sent to his house months previously

by men secretly interested in city contracts as well as ring politicians, and the acceptance of these was to have been made the basis of formal charges from the very interests which had originally proffered them. Councils which were prepared to pass ordinances whether they were in the city's interest or not, were not likely to have scruples about impeaching an inconvenient official whether he were guilty or not guilty. The threat was not an idle one. There was every reason to suppose the machine could execute it.

In this latest trouble, Weaver summoned Director Shoyer, to whom he had sent the "Perhaps you are right" message. Shoyer was, like himself, an old Bible-class teacher. He opened the Bible to the Twenty-seventh Psalm: "When the wicked, even mine enemies and my foes, came upon me to eat up my flesh, they stumbled and fell. Though a host shall encamp against me, my heart shall not fear. . . . For in the time of trouble He shall hide me in His pavilion; in the secret of His tabernacle shall He hide me: He shall set me up upon a rock. And now shall mine head be lifted up above mine enemies round about me. Teach me Thy way, O Lord, and lead me in a plain

path because of mine enemies. Deliver me not over unto the will of mine enemies: for false witnesses are risen up against me, and such as breathe out cruelty."

Weaver closed the book and said simply, "Send for Judge Gordon." Judge James Gay Gordon was his personal counsel through all the events that followed. Two days later the mayor took the final step of removing the directors.

From his pinnacle of unpopularity, Mayor Weaver stepped in one day to find himself the hero and the hope of every decent Philadelphian. When he appeared on the street the day after the removal, Broad Street was filled from curb to curb with cheering men who made it impossible for him to move one way or another. He had actually to give up going out for his noon luncheon for a while. For a surprisingly long time—at least a month-he could not show himself in any public place without being cheered. The change was enough to make any man's senses reel. The indiscretions of the Spanish War heroes are horrible examples of the results that sometimes attend such sudden popularity. Yet Weaver seems to have come through his experience unspoiled. There is no better evidence than the fact that on a special occasion in 1906 when he had been invited to speak at a banquet in another city. had prepared a speech, and given up nearly twenty-four hours to the occasion on which he was to deliver it, he discarded that careful address entirely and spoke for three minutes impromptu, because he felt the hour was too late for him to take up time. When the new City Club of Philadelphia was dedicated—on the anniversary of the original "town meeting"—Weaver's entrance into the hall was the signal for prolonged cheering. A friend who happened to be on the floor below and heard the tumult suggested the next day that the mayor must have been pleased by the demonstration. "Oh," was the reply, "that wasn't all for me. So-and-so was just finishing his speech."

"Stand by the mayor" became the slogan from the moment of the break with the machine. But before the days of this appeal a most exciting and variegated campaign had been under way. Hardly was the first great meeting dispersed when "fakirs" on the streets were selling buttons bearing the picture of a gallows and a dangling noose with the words "No Gas Steal." The responsible conductors of the fight did not want such an element injected into it. They designed a

rival button bearing simply the flag and the legend "For the Honour of the City." At three o'clock one afternoon they telephoned to a firm in Newark an order for a supply of these buttons. At three the next afternoon 50,000 of them had been delivered and were ready for free distribution. Meetings were organized, one after another, at first for the city as a whole and later for the various wards and divisions. Resolutions were passed growing ever "hotter." On some nights there were more than a dozen meetings with ten thousand citizens present. Songs were written in the morning to be printed in the afternoon and sung at meetings the same evening. Every aid that tireless ingenuity could devise for keeping up the determination and the enthusiasm of the people was resorted to.

But the really unique feature of the Philadelphia fight was its pressure upon the individual councilmen. One of the secrets of the prolonged interest displayed by the people when once interested was that they were assigned to do something perfectly concrete and within the powers of every one. This was to confront their own individual representatives in the city legislature. Not a councilman was allowed to rest. Processions of citizens marched through their wards looking for them to see what they proposed to do about the gas lease. These marches were usually on foot, but in one of the wealthier quarters of the city a great serpent of automobiles pursued the local member until they found him trying to sneak back to his own house and told him what they thought of his handling of their common interests.

In the fashionable suburb of Germantown there was prepared a large poster. on your select councilman," it said. Then it contained pictures of the man himself, his house, his place of business and the station house where he was in the habit of spending much of his time. The street and number of each of these places were printed and the telephone number into the bargain. Thirty-five men offered at once to begin calling upon this councilman at seven o'clock in the morning, and keep it up through the day in squads of five at a time. At ten that night he weakened and promised to vote against the lease. Councilmen found themselves losing business. One who kept a laundry did not have a shirt left in the place for three days, another, a saloon-keeper, found leisure to think the situation over on a day when only ten drinks were called

for over his bar. Men who attempted to go about their usual business found that their associates scarcely spoke to them. It was an amusing circumstance that while the "marches" continued the councilmen for whom their constituents were hunting rarely went abroad without their wives. That protected them in a measure against indignities, but it did not prevent their being stopped and questioned by wrathful neighbours.

No account of the Philadelphia uprising would be complete or truthful that did not mention the strong religious feeling that was manifested in it. Four hundred church ministers had united in solemn prayer for their stricken city only two months before. There are many thousands of Philadelphians to-day whom nothing could persuade that the events of May and November were not direct providential answers to that prayer. As much was said by grave business men at the mass meetings. The old, long-meter doxology was sung, as if by common impulse, at almost every meeting. "Onward Christian Soldiers" was the favourite marching tune. Yet orthodox Jews marched in these same processions, and when representatives of the "gang" spread the rumour that the Jewish holidays would be menaced by the new movement, every rabbi in the city came forward to tell his people that it was a false-hood.

The pressure was having its effect. Day by day one councilman after another came into the mayor's office and promised support. One, who had broken down and wept before a delegation of citizens said he had "never felt like a man before." One gave in because his wife had become a nervous wreck after the experiences she had gone through. Still another could not endure hearing his children report that their playmates said their father was a thief. The people, by the simplest means in the world, were undermining daily the power of the old machine.

What was chiefly feared at this time was the sudden calling of a meeting of councils which would quietly pass the lease over the mayor's veto. On May 27th, four days after the removal of the directors, the Committee of Nine determined to issue a proclamation calling upon the heads of manufacturing and mercantile establishments, if such a snap meeting were called, to blow their whistles and release their employees at once to march to the City Hall in protest. An evening newspaper was called up by telephone at once, and one of the members

of the committee prepared to read off the text of the resolution. "Haven't you heard?" came the city editor's voice over the wire. "The lease has just been withdrawn by the U. G. I."

The defeat of the obnoxious lease had originally been the sole object of the new movement, but now that it was under way, this began to seem a mere incident in the work to be accomplished. The meetings called for the next two weeks were not given up. They gained, rather, in enthusiasm. It was realized that the defeat of one job really marked only the beginning of constructive work for the city.

The month of June saw the formation of two of the unique organizations that have taken part in Philadelphia's redemption. First came the "limit men." This group of men formally pledged to "go the limit" in Philadelphia's interest began with three members. Every week they lunched together and every week one or two or three new men appeared to take the same pledge of dedication. There were nine of these weekly luncheons, and at the end of that time there were twenty-nine of the "limit men." These later formed the nucleus of the Philadelphia City Club, and one year after their original

assembling, twenty-one of the band renewed their pledge, the absence of the other eight being in every instance accounted for.

The perpetual franchises for street railways over one hundred and ten miles of streets have already been alluded to. A massmeeting was called on June 14th, to show that the people were awake to this "steal" too. The call urged Philadelphians to "Show the spirit of Minute Men." Some one saw new possibilities in the phrase. Before the night of the meeting cards were ready for distribution bearing the "Minute Men's Pledge" as follows:

"I regard service to the city as one of my foremost duties. I will, therefore, make such personal sacrifices as the interests of the city, in my judgment, demand.

"I will make it a prior engagement to attend properly called meetings during any municipal exigency; to acquaint councilmen, personally or by letter with the fact that their actions are being closely watched, and to fulfill all the duties of good citizenship preceding elections and on election days."

To that obligation, by the aid of wide newspaper publicity, about 4,400 names were secured. The names themselves have never been known to but three men, Albert E. Turner, Clarence L. Harper and Cyrus D. Foss, Ir. These were the first three "limit men." The existence of a body like the "minute men" explicitly subject to summons at any time, helped very greatly during the months that followed. They were actually called out on four occasions. Once councils, again feeling sure that vigilance had relaxed, were preparing to refuse to appropriate money for the special counsel who had guided the mayor through his difficult fight. A private notification was sent to the "minute men," the galleries at the meeting of councils were again crowded, and the item under discussion went through without difficulty. Practically the same thing was done again as late as the summer of 1906, when notices were sent at twelve o'clock one evening to a thousand of the "minute men" and they turned out the next afternoon. On the other two occasions they assembled for less martial purposes, once to receive Governor Folk, of Missouri, and again for a demonstration in honour of Mayor Weaver. We have seen how Jerome's forces in New York disbanded the day after election. This body intends to maintain itself permanently and undertake a programme of educational work along municipal lines.

The "minute men" however, never aspired to becoming a political party. But just as the Municipal League had left behind it a body of trained workers, the City Party offered ready made the beginnings of a party organization. It had put up candidates of its own for the February election of 1905, although none of them had been elected. But under the stimulus of the awakened spirit of Philadelphia it began now to develop in earnest. Its convention was attended by 900 delegates.

There was no break or "fresh start" apparent when the aroused citizens of Philadelphia ceased fighting a machine measure and began fighting machine candidates. cry was still "For the Honour of the City." Philadelphia is one of the few American cities with a flag of its own and that banner of blue and gold became the symbol of the new cause. In the old days it had been hoisted perfunctorily over a few public buildings. Now it blossomed out on every street. Drum and fife corps in continental uniforms were sent about to appeal to the "spirit of '76." The "let down" on the mayor's side which had been predicted from week to week by the machine men ever since early May did not come. The City Party

carried the day. Boss Durham, up to the date of this writing, has never returned to Philadelphia. He remains a "King in Exile."

Only a bare handful of members in either branch of councils had voted against the gas lease in April. But the men who did at that time register effective protests from within learned now that their townsmen were not ungrateful for service rendered. Samuel Crothers, who had stood almost absolutely alone in the upper branch, unconsidered in appointments or organization, was elected by the same body as its president, who stands next in succession to the mayoralty. Similarly Thomas F. Armstrong, one of the two men to make most telling opposition in common council, was elevated to the presidency of that body, and another of the opponents of the lease, Wilson H. Brown, headed the City Party ticket in November.

And yet the "overwhelming victory" which the City Party claimed and the machine acknowledged really consisted merely in the election of a sheriff, a coroner and three county commissioners. As in Missouri the demonstration that the people were aroused and in earnest was what secured the results. "The same old councils" repealed

the street railway grab, and it is now accepted by everybody that Philadelphia will grant no more perpetual franchises. "The same old legislature" at Harrisburg gave Philadelphia more reform legislation in one special session than it had in twenty years previous. Civil service reform, a personal registration law which takes the dead men and the pet dogs from the voting lists henceforth, a new primary law, a corrupt practices act, a law taking office-holders out of politics so completely that even a policeman cannot come within fifty feet of the polls, followed each other in rapid succession. The revolution of 1905, as many observers believe, has transformed Philadelphia from the worst to one of the best-governed cities in America.

CLEVELAND AND THE THREE-CENT FARE

N a mid-summer afternoon a solemn procession of boys made its way to the home of the mayor of Cleveland, and presented to him a formal petition of rights drawn up in red ink. It recited the fact that the police were not allowing the younger citizens of the city to play in its streets, that the street was pretty much their only place to play, and that if they were to live happily under the mayor's jurisdiction, it was absolutely necessary that the right of Cleveland boys to play there should be faithfully conserved. The mayor read gravely the petition. Then he issued instructions to the police, granting all the rights asked for, but with the explicit requirement in return that the boys should not throw stones. Since that covenant they have not been arrested, like the boys of so many cities, at the caprice of the policeman on the beat. They are burghers with as definite rights as their elders.

The granting of this juvenile magna charta





is a little illustration of a big principle. It is a principle which happens to be typical of Cleveland within the last few years. It is, in a word, the principle of belief in the city. That means an underlying creed and a mental attitude rather than any programme of specific things to be done. Undoubtedly much of the noblest, most unselfish and most valuable work in behalf of the poor of our cities is done by men and women who believe the city itself to be at best a necessary evil. But there is another way of looking at it. Where one sees the squalor, and the flaunting luxury, the inexorable demands upon the workers, the dying down of neighbourliness, another perceives the brave spirit of the same city, its abounding life, its transcendent possibilities.

One of the needs of this country is for men who can face intelligently and hopefully the fact that our cities are growing faster than the rest of the country, and that city life will inevitably be the permanent lot of a larger and larger proportion of Americans. It is of supreme importance to make city life a "livable" form of life for others than the well-to-do. "Up to the present time," writes Frederick C. Howe, one of the very group of men who are working to-day for the improve-

ment of Cleveland, "the boss has been the American City's only apologist." That is a state of affairs which is now being generally remedied. So much thought and work are being given to city problems, so much is being invested in their physical betterment, such improvement has been made in their government, that pride and love and loyalty on the part of citizens are almost sure to follow. Meanwhile it is a happy circumstance that the ideal of service to the city as something both excellent and lasting should be typified, as it is in Cleveland, by a big, jovial, practical, money-making man, who knows his problem from all sides, and believes that the American genius can make the American city the best managed, as it has been called the worst managed, in the world.

Tom L. Johnson, a man of old Kentucky stock, exemplifies better than any other in the public eye to-day some of the qualities that we like to think are most characteristically American—the keen sense of the humours and incongruities that are mingled with the most serious and tragic problems, the understanding and appreciation of the men he is fighting hardest. No one has more than he of the spirit which made the signers of the Declaration of Independence

joke about the circumstance that if they did not all hang together they would all hang separately. There is a kind of jesting in the face of danger or difficulty that shocks by its recklessness. Tom Johnson's humour on the other hand, is one of the most human ways of expressing determination so strong that it no longer needs to be sustained by exhortation or solemnly reiterated resolve. The patriots of 1776 could joke about their cause and their peril for the simple reason that capitulation had become with them an absolutely unthinkable alternative.

A Tom Johnson speech carries you back and forth from righteous wrath to wild hilarity, yet its pervading earnestness is no less impressive in the latter than in the former. This is something that can be said only of a "big" if not a great man's oratory. Shortly after his second reëlection, the Cleveland mayor was invited to speak at a banquet in New York attended by men interested in municipal reform. Most of his talk grew naturally out of what previous speakers had been saying, but presently he began to touch on the disagreeable tasks which his position in Cleveland had forced upon him. It was disagreeable, for instance, to argue and plead with an obstinate city council. But he had to confront them, he explained, to tell them squarely, "you have held up such and such an ordinance without legitimate reason, and I think you're bought!"

He was simply telling the story of something he had actually done. Yet the tone and inflection of that one retrospective sentence were as indescribable as those with which Joe Jefferson used to utter his lament for Rip's dog Schneider, and a more complete characterization of the man Tom Johnson could hardly have been contained in a thousand times as many words. In the first place it showed a man who would not and did not hesitate an instant about meeting the corruptionist face to face and telling him what he thought of him. But at the same time it showed a man whose resentment against this same corruptionist was not in the least personal. The passage of the held-up ordinance was the important consideration with him, not either the reformation or the punishment of a few grafting aldermen, themselves the product of a system. Jerome would have said, "I think you're bought," in a way to make your flesh creep; Tom Johnson said it in a way that left his New York audience cheering, applauding and howling with delighted laughter all at once. The picture he

conveyed was so novel, so inspiring, and yet at the same time so inimitably funny that a single way of expressing one's feelings was not enough.

In the famous circus tent campaign for the governorship of Ohio in 1903 he did some of the plainest speaking that even a western platform ever heard. Yet he paused over and again to explain that the man whom he was excoriating was Senator Hanna or Politician Hanna or Boss Hanna and not his old friend and neighbour Mark Hanna. His attacks had not a particle of bitterness or rancour and his appeal was throughout to reason and not prejudice. Here is a characteristic bit from one of his speeches: "I have never made one of these charges against Senator Hanna without inviting him to attend my meeting and hear my speech, to sit on my platform with me and answer me when I am through. I have made the invitation applicable to any one he chooses to send in his stead, if he cannot conveniently come himself. But he has always declined. Now don't delude yourselves with the belief that he keeps out of the way so as not to hear what I say of him. He knows all I say as well as you do who are present. Over yonder at that table sits a young man, Senator Hanna's

stenographer, who is taking down what I am saying now and has taken down everything I have said in this campaign. After this evening's meeting is over, he will transcribe his notes and mail them in long hand to the senator. It is a very nice arrangement, the senator knows just how far I go in my plain handling of him and I know I am insured against garbling. Do I mind having that young man with me, with his special delivery system direct from Tom Johnson's tent to Senator Hanna's breakfast table? Bless you, no. He is a good fellow; we're all devoted to him. He travels everywhere with us, and is as much a part of the show as any of the rest

"But how does Senator Hanna treat me? He never invites me to his platform. Why, I dropped in at a Republican meeting one evening, just to hear what they were saying about our side and learn a little wisdom if I could. I sat away back in the crowd, modestly, as became me. But I hadn't been there long before a man on the platform spied me out and rushed up to the chairman in a state of great agitation. 'Mr. Chairman,' he whispered hoarsely, pointing at me, 'there's Tom Johnson in the audience!' And the chairman said, 'Ahem! Mr. Johnson, I

beg to remind you that this is a *Republican* meeting.' 'Oh,' said I, getting up. 'I beg pardon, I thought it was a public meeting.' And I walked out. And I am pleased to say that two-thirds of that Republican audience walked out with me. Don't think, my friends, that the common run of Republicans are at all behind us in liking fair play. They like it as well as we do, only they don't get it from their leaders."

About himself and his party he speaks with almost as much candour as about the enemy. He is a rich man, and he has made his money by taking advantage of the very conditions which he has striven hardest to have changed. As an earnest orator once expressed it to a street corner audience in Cleveland, "He has done everything he could to induce you to keep that money in your own pockets." He has been more pithily and perhaps more justly called a "reformed business man."

When he was in Congress in 1894 and the Wilson tariff bill came up for debate, he was scarcely allowed to begin his own remarks before the Republicans were on their feet to bring out by questions the fact that Johnson himself was a beneficiary of the McKinley tariff. He admitted that the mill in which he was interested made about one-thirtieth of the

steel rails produced in this country. Then John Dalzell of Pennsylvania inquired, "Is the gentleman a party to the steel rail trust?"

"I am not," declared Johnson, "but whether I am or not would make no difference. Outside of this hall as a steel manufacturer I might be perfectly willing to enter a trust but I will not defend trusts here. As far as I am personally concerned," he went on, a minute later, "I am a thoroughgoing monopolist and would be willing, outside of this hall, to take advantage of any of the bad laws that you put upon the statute books; but I will not defend them here. . . . If you put steel rails on the free list, as I intend to move, you will not shut up mills. You will lessen the profits of some of us steel rail manufacturers, but you will stimulate industry, give idle labour a chance for employment and so tend to raise wages."

In 1892 Johnson was one of a group of Democrats in Congress who conceived the idea of having Henry George's book on "Protection or Free Trade" printed and circulated as a government publication. They did not carry out their plan all at once, however. The book had twenty-eight chapters. Johnson first secured the floor for half an hour and began a speech on the wool bill. When his

time was up he asked in the usual way for "unanimous consent to extend my remarks in the Record," That "extension" consisted of chapters one to five from Mr. George's book. A little later, Mr. Fithian of Illinois inserted chapters six to ten, Mr. Washington of Tennessee chapters eleven to fifteen and so on till there were only three chapters remaining unprinted. Then Mr. Burrows of Michigan, now a senator, objected to the whole proceeding, and there was a lively debate. "I am one of the guilty persons," said Johnson, "and I am proud of it. I knew that it was well written and calculated to make Democratic votes. For that reason I put it in."

It is fairly typical of Mr. Johnson's attitude, that when he originally became a candidate for the mayoralty he placed the issue of threecent fares with universal transfers above the issue of good government. Most men, especially most municipal reformers, would have reversed the order. Yet it is an open question whether the average city dweller would not prefer to have corruption stalking through the City Hall while he himself is carried cheaply and conveniently to his home and to his office, than to enjoy a city government by archangels and suffer for a bad trolley service.

For all that, circumstances beyond Mayor Iohnson's control permitted him to give Cleveland the good government which was an incidental feature of his programme, while he has not yet secured the low fares for which he has worked so long.

In much of the work done under Johnson's administrations the same idea of belief in the city as a permanent home is apparent. "Cleveland," as a quick eyed traveller once remarked, "has fewer 'Keep off the Grass' signs than any other American city." This may not be literally true, but no city has done more than Cleveland towards encouraging its people to use to the full all the park facilities for games and picnics and the like. The idea that water costs money and must be husbanded and economized is also characteristically an urban notion. The city of the future will have to learn how to take care of its water supply. Cleveland is already one of the most thoroughly water-metred communities in this country. Johnson is one of the leading single tax advocates to-day. Without attempting to carry out his theories in full, one of his first innovations was the establishment of a "tax school" for equalizing and adjusting assessments according to the so-called Somers plan of valuation

When he appointed as chief of police an officer belonging to the opposite party and called in a former professor in Chicago University, Dr. Edward W. Bemis, to conduct the city water works, and named a clergyman. the Rev. H. R. Cooley for his director of Charities and Corrections, Mayor Johnson gave its peculiar character to an administration that systematically sought practical service rather than "regularity." Besides having the routine of the city government conducted by a group of men both expert and enthusiastic, the city has been carrying out some of the most ambitious plans of improvement and beautification that are under way anywhere in this country.

The story of Cleveland's traction issue of late years is chiefly contained in the records of the courts. Three years before Johnson became mayor a pair of ordinances providing for lower street railway fares had been attacked by means of injunction suits and these actions were not finally settled until the new mayor had served the whole of his first and part of his second term. With a few small exceptions the questions of lower fares and new franchises alike were kept continuously in litigation for more than eight years. The city council passed ordinances to reduce fares

on the existing lines, invited competition for new routes, made fresh grants of franchises which it believed to have expired. But all plans were equally futile. The traction companies, which were consolidated during the progress of the long fight, not only secured injunction after injunction from the courts; in 1902, wishing to prevent the granting of franchises for ten competing lines, they persuaded the courts to overthrow the whole city charter, on the ground that it was special legislation and as such unconstitutional. This left not only Cleveland but other Ohio cities without any government at all for a period of some eleven months, and necessitated the calling of the legislature in special session to supply the lack. In 1903, when an independent company offered to build one of the proposed lines and operate it at a three-cent rate of fare, a mysterious rival put in a better bid, offering a two-cent fare, and secured the franchise. Not even a beginning was ever made towards carrying out this offer and it afterwards transpired that the whole two-cent fare proposal had been instigated by the five-cent fare interests for the purpose of defeating the three-cent fare company which was then trying to secure the right to build a line.

With the exception of a fifty-two day interval between injunctions in the fall of 1903—just before election day, by the way—during which somewhat less than two miles of track had been laid, there was no actual construction for the much-discussed three-cent fare line until April 25, 1906.

With the lifting of the long legal embargo, however, there began a traction discussion in Cleveland which is perhaps the best example this country has afforded of the frank and open fashion in which the determination of such important city questions can be and ought to be carried on. The old company made a formal offer to carry passengers at seven rides for a quarter, just fifty-seven onehundredths of a cent above the long-awaited three-cent fare, and promised universal transfers. In newspaper advertisements it also began to take the public into its confidence. "Which would you rather have?" it asked in one of these, "a long ride for one threeand-a-half-cent fare, from anywhere to anywhere, on the Cleveland Electric Railway Company's 235 miles of line, or a short ride for three cents, beginning nowhere and ending near there, on the Forest City Railway's eleven miles of line. If you think it will be a good thing for the city of Cleveland to

have all its street railways a part of our whole-way system, you will be on our side. If you prefer one half-way line you will be on the side of the Political Syndicate."

Mayor Johnson would settle the whole traction controversy by turning over the property of both companies to a holding corporation or syndicate to be composed of men satisfactory alike to them and the city and incorporated at a nominal capitalization. This company would operate both roads just as the Interborough Company of New York operates the subway and elevated lines in that city, guaranteeing the interest on their bonds and dividends on their stock at a predetermined rate. Much the same plan was proposed in 1905 but the price suggested for taking over the stock did not then prove satisfactory.

It is one of the peculiar features of the situation that the adoption of Johnson's plan would not necessarily bring about the rate of fares and the system of transfers which were the chief promises of his original platform. His three-cent fare doctrine, if it may be so called, is simply an experienced street railway manager's belief that when properly built and financed a street railway in an American city can be made abun-

dantly profitable at a three-cent rate. "If we could buy the stock on the basis of the actual physical valuation, say of \$50,000 a mile," he said in an interview, "a three-cent fare with universal transfers would not only be possible but would leave excess earnings sufficient to take care of needed extensions and improvements and rapidly reduce the fixed charge by absorbing the securities at the option price. If we had to pay say eighty dollars a share for the stock, we might still operate under the three-cent fare, but it would be necessary perhaps to charge one cent for transfers. You will readily see that there is a great deal of difference in the fare that may be charged and the profit made by a company capitalized as the Forest City is at \$50,000 a mile, and one capitalized as the Cleveland Electric is at \$150,000 a mile. In the latter case there is a good-will or franchise factor of \$100,000 a mile which, while it does not represent actual investment, still must be acknowledged in any division of profits."

Municipal ownership in Cleveland is in no sense an immediate alternative because the State law explicitly prohibits municipalities from owning street railway properties. Mayor Johnson believes, however, that after the holding company plan is once in successful operation the legislature will gladly remove this prohibition "as such a proposition would no longer be opposed by the big money interests."

The rights in this controversy and the merits of the alternative proposals do not really concern an outsider. But it is profitable for the rest of the country to observe the spirit in which all these intricate problems are being worked out. It is at the opposite extreme from the setniment which brought out votes for an impossible "immediate" municipal ownership, and made some hundreds of Chicagoans on the day after Mayor Dunne's election in 1905 refuse to pay fare on the ground that they had just voted for this policy and their side had won. Cleveland may in time own and operate its street railways. Johnson hopes it will be the first large American city to do so, but if this does come about, it will be after most thorough discussion, the patient hearing of both sides, and probably the practical trial of a half-way scheme like that suggested by the mayor. This is the way in which our cities must approach and settle their great problems of the future, and Cleveland, under Tom Johnson's lead, is showing the way.





Photograph by Sherman

Energy by Sherman Cocks

EVERETT COLBY

Born, Milwaukee, Wisconsin, December 10, 1875.
Graduated Brown University, 1897.
Graduated New York University Law School, 1899.
Practiced law, New York City.
Entered banking firm, 1904.
Appointed member New Jersey State Board of Education, 1901.
Elected New Jersey Assembly as Republican, 1902.
Reelected, 1903 and 1904.
Elected State Senator, 1905.

[&]quot;The boss and his breed must go, but if he is to go, the reformers who put him out will have to give the people something better."

. .

NEW JERSEY'S STIRRINGS

THE movement for the emancipation of New Jersey, the last of any herein described, has, nevertheless, in a sense, recapitulated the history of all these reform struggles. Nowhere were relations between the corporations and the political bosses closer or more plainly manifest. where did over capitalized public service companies make more unreasonable demands. Nowhere were the voters as a body more apathetic regarding the condition into which their state was drifting. It may be added, despite setbacks, that nowhere, once their interest was aroused, have they promised more hearty response to the call for help in improving conditions.

One concern, the Public Service Corporation, acquired control of so large a proportion of the trolleys, electric light and power companies, gas and water works, that it has been only justifiable hyperbole for Jerseymen to say that it owned the State of New Jersey. This Public Service Corporation, the Fidelity

Trust Company, the Union National Bank of Newark and the Prudential Insurance Company of America became bound together, by extremely close financial and personal ties. Of the four men who served on all the directorates within a few years one, Thomas N. McCarter, was made Attorney-General of the State and another, John F. Dryden, a United States senator.

To be explicit, the Public Service Corporation owned 650 miles of perpetual franchises for traction lines, more than enough to stretch from Trenton to Cleveland, and capitalized at a very much higher rate per mile than those against which Tom Johnson fought in the latter city. "Trenton street cars and Elizabeth gas" have been named as the only important properties of the kind outside of its control. The steam railroads in New Jersey, meanwhile, were paying only two and eight-tenths per cent. of their income in taxes, while the very roads that have been attacked for their domination of other states, including the Boston and Maine, against whose control in New Hampshire Winston Churchill, the novelist, undertook his unsuccessful but promising campaign in 1906, paid from four and five-tenths to nine per cent.

The mayor of Jersey City, of whom more is to be said, expressed the situation in a letter to the Governor early in 1904. "A Republican legislature is controlled by the railroad, trolley and water corporations," he wrote, although a Republican himself, "and the interests of the people are being betrayed. While I charge no man with personal corruption I do not hesitate to say that this is a condition of affairs which is essentially corrupt, and which, if unchecked, means the virtual control of our State and our party by corporations."

Besides exhibiting the familiar form of corporation domination through alliance with the bosses who controlled nominations, New Jersey came to be known throughout the country as "the corporation State" in the same sense that South Dakota is known as "the divorce State." The laws governing the forming of companies were deliberately made so liberal that promoters who wanted to incorporate concerns that the states with reasonably strict laws refused to charter, almost invariably applied at Trenton. It became a regular industry to rent rooms for the annual meetings of New Jersey corporations which had no other connection whatever with the State. But the questionable business which no other State would take brought New Jersey large revenues and paid for improvements and roads that are famous. There was no effective protest.

The acquiescence of the decent people of this State in the domination of the railroads and the "public service crowd" was merely the same condition that prevailed at the same time in many other States. Yet there were unique features about New Jersey's population.

A Southerner paying a visit in one of the suburban towns of Essex County was once asked on his departure, the conventional question what had impressed him most during his stay. "Well," he replied, "on the way from here to New York there lies a city twice the size of any city in my own State and larger than any in the States that touch my own State. In fact, by a bee-line, I should have to pass through at least two other States in any direction before reaching a city as large as Newark. And yet half your trains don't even stop there!" There is an element in that jesting comment which really helps to an understanding of New Jersey conditions. This is a State, so to speak, of two largely distinct populations. One of these has built up a series of important industrial centres, making New Jersey the sixth State in point of manufactures. It has developed a specialized agriculture which makes New Jersey the leading producer in several lines of trucking crops and the like. It has developed market towns and shopping towns equal to those of any section of similar population.

But just outside of New Jersey at either end there happened to grow up cities so much larger than anything within its borders that as soon as the suburban movement began they overflowed into this convenient neighbour-state. It is said that 125,000 commuters leave for New York every morning and 25,000 for Philadelphia. New Jersey is unlike any other State in having a voting population something like a third of which spends its days in another State, earns its living in another State, reads the newspapers of another State and, only too often, has its primary interests there.

The commuters' lack of especial state pride or interest in home affairs was easy to understand. But at the same time they made up a population of unusual intelligence, prosperous and self-respecting, of natural independent proclivities and bound by no ties whatever to the local bosses. While they remained indifferent the control by these bosses was relatively easy; what had not been realized was that they offered at the same time almost ideal material for a prompt and effective rising when the time came.

It is usually quite enough of a task to conduct a campaign in one State. But as the date for the New Jersey Republican primaries approached in September, 1905, the New York papers began to print advertisements relating to a fight that was in progress on the other side of the river. "ESSEX COUNTY COMMUTERS! ATTENTION!" so the headings read. Then followed the announcement of Assemblyman Everett Colby's candidacy for State senator, and the statement on the authority of the chairman of his committee that "The Public Service Corporation refuses to permit any Colby advertisements in the trolley cars."

The body of this advertisement was made up of two companion pictures with accompanying text. One picture showed the elevated tracks of a railroad passing over a city street.

"This railroad main stem," it said, "was elevated at a cost to Newark of \$1,500,000, and the taxpayers will have to raise \$75,000 a year for thirty years to pay the principal

and interest on this debt. . . . This property, improved by the taxpayers, pays taxes at the rate of \$5 per \$1,000 of valuation. . . . Major Lentz and the County Committee endorse the law which fixes this rate."

The second picture showed a typical workingman's frame cottage.

"This taxpayer's home," said the accompanying text, "was erected with the money of the owner. The city of Newark contributed not one cent to the erection of this house.

This property, improved by the owner, pays taxes at the rate of \$22.70 per \$1,000 of valuation.

Everett Colby favours a law to compel the railroads to pay the same rate as the citizen pays."

Everett Colby was called by his opponents, "The fresh young millionaire from Wall Street." He was the son of a railroad president, Charles L. Colby, of the Wisconsin Central. There was nothing in his training or early record to suggest the line of his work as the leader of a movement against corporation domination. But he was a young man who naturally made friends and inspired confidence. Every college man will recognize the type of student who is elected president of his class in the freshman year. That was Everett Colby's first distinction when he went

to Brown University. Later he made a fair record as an athlete, though a light weight playing quarter back on the football team. After graduation, although he did not need to earn his own living, he did begin to build up a law practice, which he subsequently gave up to enter a banking firm. He was not a reformer, but he was a good citizen and a man of assured position. Thus the first office he came to hold was an unsalaried membership in the State Board of Education.

Three years after Mr. Colby's graduation from the law school he was elected as one of the Republican Assemblymen from Essex County. He was just as much of a machine man then as any of his colleagues. He could not have been chosen Republican floor leader in his second term, as he was, unless he had combined perfect "safety" from the corporation standpoint with his natural qualities of leadership and his capacity for work. The criticism has been made of Colby's speeches that they are too academic. Yet his views on political problems were obviously not formed in the class room or the library, but in the practical activity of legislation.

"Why, I remember so well," he said in a campaign speech, "one night when the McCarters came to Trenton and a dinner

was given which the machine leaders attended. After dinner they drifted into the State House and I was sent for and told by one of the State Committee that I had a bill in one of my committees which was a very objectionable bill and not at all favourable to our friends the Public Service Corporation, and I was told to be sure and not allow that bill to be reported. I said 'all right,' and for weeks the press of the State cried for that bill and friends of the measure yelled themselves black in the face, and all the time that bill was in my desk away from the tumult of the 'madding crowd' and there it remained. That was my part in the system, a part for which I have never dared to offer an excuse not even that of ignorance." It was only "by luck," as he afterwards acknowledged, that he was found voting against "the crooked promoters' liability act" in his first term.

The Assembly leader's definite break with the machine came through a bill which had been introduced during his first term, affecting the right of stockholders to bring suits in the name of corporations. Colby had voted for the bill with no great amount of study of its intricacies, but later, when some one showed him the results of an analysis of its provisions, he came to the conclusion that it was a very objectionable measure. It failed of passage that year, and at the next session Colby himself was asked by the secret sponsors of the bill to introduce it and thus give it at the start the prestige of the floor leader's support. He refused, and the next year, when he was a candidate for the speakership he was opposed by the power of the financial-political ring and defeated. So in his third term Colby was an out and out insurgent. After a year of open warfare in the Assembly, he resolved to carry the fight into the State Senate, and, taking advantage of a new primary law, offered himself as a candidate for the Essex County senatorship.

His platform declared strongly for four reforms: the restriction of franchises to twenty-five years in cities of the first class and thirty-five years elsewhere, the assessment of public utility franchises annually and their taxation at the regular local rates, the taxation of railroad real estate on the same principles, and the expression of a popular choice for United States senator by means of the direct primary.

At last the commuters were awakened to their opportunities. On the day of the primary automobiles were waiting at every station to whisk them to the polling places. By far the larger portion of them had never voted in a primary before and there were odd blunders and misunderstandings. But the new law protected every voter's rights. Whereas in the past, eight per cent, of the Republicans had taken part in their primaries, eighty per cent. participated in Essex County in 1905. Colby won the nomination by a large vote. His election followed in November, more or less as a matter of course, and in January began a session of the legislature which was, as Senator Colby himself said, "in many ways the most noteworthy in the history of New Jersey." Although the legislature's membership had changed very little except in respect to one county delegation, it passed two of the most important Colby measures, a bill for taxing railroad property at the same rates as other property—La Follette's old Wisconsin measure in substance—and a law limiting future franchises to twenty years except when the people, by direct vote, should authorize a forty-year term.

Considerable as were these results at the first session, a long list of reform measures remained unpassed, and two months after adjournment the Republican Committee for Limited Franchises and Equal Taxation

had issued a new declaration of principles, and the Colby adherents in the legislature an appeal for renewed support. Then in July the "new idea" was organized on a statewide scale. This brought to Colby's side men of standing in the southern and central counties, but most important of the allies were to be counted the representatives from Jersey City, Mark M. Fagan, the mayor, and George L. Record, the corporation counsel, who had drafted the primary law under which Colby's initial success had been possible.

While Colby was working on the perpetual franchise question in its theoretical and abstract aspects, Fagan, as mayor, had been wrestling with it in a practical way. By the end of his second term he had gained for himself not only the hostility of the Public Service interests, but of the local powers of both parties as well. Fagan is one of those rare men who even in a large city are able to come close to the mass of the people as neighbours are close to one another in a small town. In many ways he and Colby were as unlike as two men can be. Mayor Fagan was a self-made man in every sense of the word. He had been a newsboy and had become an undertaker. His first small

successes in politics had been made through a peculiarly intimate sort of house-to-house and man-to-man canvassing. "Everybody I know is for Fagan," one of his supporters once said, "and every one of them points to a different trait or a different act of his as the reason. Fagan's administration in some way seems to have made a difference in the life of every one who lives under it." His appeal to the people, issued in 1905 very shortly after that of Mr. Jerome on the other side of the river, resembled that remarkable document strikingly though Fagan's reelection was in fact won on the Republican ticket. After a review of his own connection with the bosses and the corporations, he said:

"These facts and many others too numerous to mention have convinced me that it is time to come out in the open and have a square stand-up fight against the Republican boss, the Democratic boss, and the trolley and railroad corporations which control them both. It is impossible for a public official to get along permanently with a boss, except upon terms of abject obedience and the sacrifice of self-respect. Personally I am tired of the experiment. I am sick of talk of party harmony, which means surrender of

personal independence and of popular rights. It is time to fight the boss system itself, by which unscrupulous men get between the people and the public officials by control of the party machinery, betray the people, acquire riches for themselves, and attempt to drive out of public life all who do not take orders from the boss and his real masters, the corporations."

The "new idea" as a matter of course was accused of merely masking the old idea in the hands of a coterie of disgruntled politicians. Colby and Fagan were accused of aspiring to be bosses on their own account. But Senator Colby's own handling of the point in a debate with an opposition senator at Morristown is worth quoting.

"I understand you have pledged yourself to vote for George L. Record when he is a candidate for United States senator against Mr. Dryden," said Senator Hillary.

"That is correct," acknowledged Colby.

"Have your eleven Essex County Assemblymen pledged themselves to do the same?" was the next question.

"No," was the answer.

"Don't you think they should?"

"Yes."

"Then why don't you make them?" shouted the interrogator.

"Because I'm not a machine boss," retorted Colby amid applause, "and I don't intend to be one."

The "square stand-up fight" in the primaries of 1906 resulted in a defeat for Colby, Fagan and their allies, although it attracted so much national interest that Senator La Follette came all the way from Wisconsin to lend a hand in it. There were actual losses of localities carried in 1905, without sufficient gains to compensate. Thus the Colby movement was checked in 1906, as the La Follette movement had been checked in its early stages just ten years before. But there remain certain compensations. One is that the issues grow plainer the longer the apathy of the state continues. Another is that the experience of other commonwealths has made familiar and almost axiomatic conceptions that sounded strange and unsettling a few years ago. The league of Colby and Fagan may not be the agency through which the reform of New Jersey is to come. But if in the encounters that have gone before a single repulse had meant final defeat, a record of achievement like this could never have been written.

XI

THE RESOURCES OF REFORM

T is a national habit to attribute everything that is done in politics or public life, good or bad, to some indirect and hidden motive, a deal, a dicker or some far reaching influence. Mayor Brown appoints Mr. Green to office. That means that he has patched up a temporary truce in his old feud with Senator White. Assemblyman Nobbs suddenly withdraws his opposition to a bill which he voted against last winter; it does not mean that he has changed his mind about it, but that Boss Noakes and would-be Boss Stokes in a faraway city are temporarily at loggerheads. Nothing, to the political reporters, means what it seems to mean. This sort of "inside" comment and revelation has helped tremendously to maintain the prestige and power of the mere wire-puller in politics. No candidate ever appealed to a high or disinterested sentiment without some wise hangers-on pointing out that this was only a blind for selfishness, indirection and ambition.

No American in his senses would think of

denying that a very large proportion of the stories of political machinations, plots and plans are and always have been true. But even if every one of them were literally exact. the general philosophy which they represent would be none the less misleading. What it ignores is that all this intrigue and manœuvering is carried on within rigidly restricted limits, and that those limits are set by the people themselves. So long as the politicians desire to win, they have to respect what might be called the standards set by the men who vote their ticket. The most dangerous situation we ever have in American politics results when the minority party gives up the hope of winning and exists merely as a corrupt appanage of its natural rival.

So long as a boss or a coterie of bosses desire victory they must keep within the lines of conduct which their constituency will tolerate. Sometimes for long periods it has come about that the constituency would tolerate almost anything. At present the lines are drawn very tightly everywhere. Tickets must be put up that can make at least a plausible pretension to decency and independence and courage.

Even the presidency is talked about as if its disposition were controlled by a half-dozen

of powerful politicians. That is true in the sense that such a coterie sometimes picks out the man who is to be the choice of a convention. But it does not and cannot make the list from which to choose him. The man who would "vote for a yellow dog if the party nominated him" exists, of course. But in these days he is the exception. That great good natured giant, the American public can be imagined as saying every year when the nominations are being "fixed up," "Plot away to your hearts' content. Scratch each others' backs. Pull all the wires you can reach. I am very tolerant and I rather enjoy watching your game. But if, when you're through, you don't provide me with candidates of big enough calibre and decent enough records to suit my very modest requirements, out you go the day after election." The boss may designate an "available" candidate, but it is public sentiment that makes him available.

We have seen this power of putting a summary end to deals and conspiracies exercised by the people in various places and under various conditions. The farmers who followed Folk and La Follette have made common cause with the "minute men" of Philadelphia, Jerome's young lawyers in New York, and the commuters of New Jersey. The stories of

those movements reveal in one aspect the power of the people to depose any boss or set of bosses, temporarily or permanently, whensoever they please. But we can see exactly the same force at work even when there is no organization in the form of a party with a ticket of its own.

It is in this last fashion that Chicago has gone about its wonderfully successful work of reform in the local legislature. No Board of Aldermen in our national history ever sunk very much lower than the Chicago Council some ten years ago. As Edwin Burritt Smith has described the situation, fifty-eight out of sixty-eight members "were organized into a gang for public and corporate plunder. Within that year (1896) it granted to public service corporations and blackmailing syndicates, composed in part of its own members, six great franchises of untold value, in shameless disregard of the public protest and the mayor's veto." The citizens had been urged for years to attend the primaries, and insist on the nomination of better men, but they did not heed the advice, and the "gray wolves" in the council were unmolested.

Municipal scandals reached the point where a reaction of some sort was bound to occur. But it did not, as in Philadelphia, take the form of a sudden and violent overthrow of the powers of evil. Some of the men most zealous for the purification of the city simply formed a small organization known as the Municipal Voters' League of Chicago. It began its existence with the traditional Committee of One Hundred, composed in this instance of a Democrat and a Republican from every ward with the additional members chosen at large. This great committee, however, never met but twice and at: the second of these sessions, it voted selfperpetuating powers to a small executive committee. This committee, the members of which are chosen to serve three years, conducts the active work of the League. is also a general membership of voters throughout the city, but the voters whom the League aims to influence have, in the main. no definite connection with it whatever.

The League determined its own function in the simplest possible way. It exists to tell the people of Chicago which of the local candidates each year are fit to be voted for. The parties nominate for aldermen. Then the League sends out its investigators, looks up in its own files the records of the men who are seeking reëlection, and finally issues its recommendations to voters all over the

city. Sometimes it commends both of the opposing candidates in a ward; sometimes it rejects both, and in such a case encourages the candidacy of an independent. But in no case is there any element of partisanship in its selections. Nor does it take sides for or against a man without giving in the plainest form its reasons for this stand. Its strength lies in its reputation for absolute fairness and disinterestedness. Take that away and the League would enjoy no more prestige than any political club.

The League has never obtruded itself between elections. At first, naturally, it could do little except pass upon the lists of candidates on whom the parties had already decided. But year by year since then it has become a force in the preventing of unfit nominations. Candidates seek its endorsement with an earnestness that is the highest compliment to the estimation in which it is held by the practical men of politics. A hint beforehand often dissuades a man with a vulnerable record from running for office at all. For this reason the summary of candidates endorsed and candidates opposed each year does not tell the whole story. But the record does show roughly, in briefest form, the degree to which the League from the

first secured and held the confidence of the city. Following are the number of aldermen elected each year, the number of those elected who were favoured by the League, those opposed—which meant in some instances merely a preference for some one else, and in others an active fight—and those regarding whom the League made no choice:

Year	Elected	Favoured	Opposed	No Action
1896	34	25	5	4
1897	34	17	13 8	4
1898	34	23	8	3
1899	34	25	*******	-
1900	37	25		peer.
1901	36	. 19	9 8	8
1902	36	22	_	6
1903	35	24	8	3
1904	35	23	8	4
1905	36	18	13	5 8
1906	36	21	7	8

These favoured candidates came from all parties. Republicans and Democrats have been found in all the columns. A good number of out and out independents have been chosen to the Council. In one case where the League considered both Republican and Democratic candidates unfit it supported the Socialist nominee and elected him. In 1899, when there was a general city election, the League's endorsement

elected seventeen Republican aldermen from wards carried by the Democratic candidate for mayor.

But the complete separation of municipal from national and State issues has not been the only good result accomplished. The almost unconsidered minority of decent men in the council grew to one-third of the body after the first election in which the League was at work. From that day it was impossible for the "gray wolves" to pass their measures over the mayor's veto. Two years more and the decent element had a clear majority, and since 1899, with a two-thirds majority of their own for much of the time, the honest aldermen have annually organized the Board on a non-partisan basis, and made it a body which Chicago trusts.

The "reformer" is characterized by tradition as an impractical being, yet one of the central facts about the general reform sweep is that in it the old rings and political manipulators have encountered opponents no less alert and resourceful than themselves. They have been fairly outmanœuvered at their own game, and it is this fact which possibly differentiates the recent movement from previous reform "spasms."

"We went straight ahead," said one of the

men active in the Philadelphia Revolution, "doing the simple, direct and obvious thing, and letting the other fellows make the mistakes." The organization blundered from the very day when it conceded so much to adverse public opinion as to order a postponement of the gas lease to let the outbreak subside. Weaver, on the other hand, when he removed the two most powerful of his directors did the one thing which would most demoralize the "gang" and at the same time most inspire the forces of his own side. In the careers of all the leading figures in this movement there are instances of the same adroit adaptation of means to ends. La Follette's expedient for preventing a second "demonstration" of the business men of the State against his rate-bill by putting himself in a position to publish the names of those shippers who had received rebates, was the plan of a consummate politician. Folk managed his negotiations with the men implicated in the St. Louis frauds with the same skill.

The Jerome campaign in New York saw one beautiful instance of how even a piece of hard luck in politics can be turned to good account. The men who were establishing Jerome headquarters throughout New York County found one locality in which it appeared absolutely impossible to rent suitable rooms. The owners of halls and vacant stores invariably made excuses of some sort when they were told what the premises were wanted for. This was the famous "gas house" district in which banner Tammany stronghold, Charles F. Murphy had been "leader" until he succeeded to the headship of the entire organization. Tammany Hall itself is in this district. Landlords were simply loath to take chances of unpleasant relations with their powerful neighbour.

At first it was proposed to skip this district and look after its organization from headquarters somewhere outside. But presently one man had an inspiration. "Why not have movable headquarters?" he asked. The Jerome workers simply secured an old truck and made their district headquarters in that. Instead of rented rooms on some side street they could locate this movable office against the curb right in the shadow of Tammany Hall itself. After a post was once chosen, telephone wires were strung into the wagon and it was from here that the district workers reported to the central headquarters. In charge of the wagon was placed a "reformed gambler" who had joined the Jerome forces. He not only made occasional speeches

to the groups that gathered in the streets, but sometimes had rougher work in defeating attempts which were made repeatedly to wreck the wagon, as was actually done in the forenoon of election day.

The signs on the wagon which did so much to rouse the resentment of the "toughs" of the neighbourhood, ran as follows. It may be explained that Good Ground is Mr. Murphy's summer residence on Long Island.

"For District Attorney, William Travers Jerome.

"Headquarters Eighteenth Assembly District.

Why won't the Landlords Rent Us a
Place in this District? No Trouble
elsewhere. Our headquarters is in the Van of the
Campaign. Did C. Francis have a Good Ground
for leaving Jerome off the ticket? Who
runs New York Anyway?"

The vehicle so inscribed had hardly appeared in the district when the reporters rushed to Mr. Murphy to ask if it were true that he had prevented the Jerome campaigners from securing headquarters in the Eighteenth district. "Nonsense!" he exclaimed. "I'll get them any hall they want in the district."

"Isn't that enough of a confession?" rejoined the Jerome workers. Most of the stories told here are stories of success. That was necessarily true because the movement for righteousness is a winning movement. But there is place for one incident to show that the clean man in public affairs can show his spirit in abnegation and chivalrous acceptance of defeat, as well as in fighting fairly and keeping his promises.

Almost every year sees some contested elections. A defeated candidate who suspects fraud fights before the courts or before some legislative body for the chance to have the face of the returns changed in his favour. Too often contestants, when appealing to tribunals of their own political faith forget that, from the moment when the ballots are cast, the political question, as to which was the better man, changes to the legal question, which had the more votes. But however that may be, the contestee usually fights to the end and employs all expedients to keep in office as long as possible. Very frequently a member of Congress whose seat is finally decided to belong to another succeeds in serving out a full half of his term, and there are instances in which the wrongful holder has not been unseated until a few days before the expiration of his term.

In the Fifty-eighth Congress, the one which

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convened in the fall of 1903, the list of contests included one in a Colorado district. One of the House committees set to work to investigate. John F. Shafroth, who had already served four terms, was the member whose title to his seat was contested. The facts brought out were such as might have furnished the excuse for most protracted wrangling. But on February 15, 1904, Mr. Shafroth, to the surprise of his colleagues, rose for a matter of "personal privilege." This concerned his own election. The committee, he explained, had sent for the ballot boxes from his district, and, after employing an expert to examine their contents, had given the contestee an opportunity to examine the ballots. "On Thursday afternoon I commenced examining the ballots," he said, "and continued doing so during Thursday, Friday and Saturday. I do not believe that 2,792 illegal votes were cast (that being my majority as returned) yet my examination disclosed the fact that the assurances which I had received as to the regularity of the votes in many of the precincts were not true, and that there were illegal votes therein which tainted the polls, and the polls so tainted gave me a greater plurality than my returned majority in the district.

"The fact was a bitter disappointment to The committee has given me every opportunity to ascertain the illegal vote in those precincts. Until I saw the ballots last Thursday I thought the illegal vote could be detected and separated from the legal vote, but I must confess my inspection has convinced me that it is impossible to do so in this case. The law being as I have stated and the number of precincts containing majorities for me greater than my returned majority, I must say that if I were a judge upon the bench considering this case I would be compelled to find against myself, and as the vote in the contested precincts aggregates less than onetenth of the votes in the Congressional district, I would be compelled to find that according to law, Mr. Bonynge is entitled to the seat. I did my best to have an honest election. My law partner, with my approval, organized a citizens' committee composed of both Republicans and Democrats who desired a fair election. . . I have always been in favour of pure politics and when the test is applied to an election at which I was voted for as one of the candidates upon the ticket I should not shirk my duty or change my convictions concerning honest elections."

After Mr. Shafroth had concluded amid the

hearty and spontaneous applause from both sides, Mr. Olmsted of Pennsylvania, chairman of the Committee which had investigated the case, paid a high tribute to the retiring member. "It appears," he said, "that the irregularity, while it carried his vote along with it, was not made for his special benefit, that the irregular action was not made with any special reference to him but his vote was simply an incident because his name was upon the ballots."

It is not on any account to be anticipated that the record of reform shall be an unbroken succession of victories. Setbacks come as a matter of course, and it is far harder to avoid both selfish motives and factional differences when "in" than when "out." The "reformers" have traditionally been considered bad losers, slow to rally after a defeat. But if the new movement continues to display the resources it has thus far, courage, directness, ability to use its human instruments, and a scrupulous sense of honour in victory and defeat, its complete triumph may rightly be called a question of time only.

XII

THE NEW POLITICS

"AMPAIGN lying may be a fine art," said an intelligent journalistic observer, in 1904, "yet, according to some close observation of the campaign now closing, there have been very few clever lies from either side of the struggle. Dean Swift wrote that 'as universal a practice as lying is, and as easy a one as it seems, I do not remember to have heard three good lies in all my conversation, even from those who were most celebrated in that faculty.' And Dean Swift knew something of the politics of his day. There surely haven't been three good lies in the present campaign; they have all been stupid as well as vicious."

If there was a lie in that campaign which made any pretensions to ingenuity or originality it was the story circulated for a brief while in Colorado that President Roosevelt when President of the Police Board in New York had invented for special use upon striking workmen a police club which, at the touch of a button, became immediately studded with formidable spikes, and that the

United States patent office had refused to allow a patent on this contrivance, apparently because of its inhumanity. A few distortions of statements or statistics, a few unauthorized signatures to documents and manifestos, made up really the sum total of mendacity in the canvass that ended with President Roosevelt's election.

The disappearance of the "roorback" is only the symptom of a real general improvement in the standards of our politics. It has been pointed out in an earlier chapter that practices resorted to openly two or three generations ago are to-day indulged in secretly if at all. The recent sudden insistence on something better than the slanders, the misrepresentations, the traps, the devious methods of the old days, was merely an additional impulse given to a movement that had been in progress, though slowly, for several dec-We cannot weigh or measure the gain; but we can give attention to some of the ways in which the gain has been especially manifest—the beginnings, perhaps, of an era when independence and honour and frankness shall be the rule of public life.

Nothing is more characteristic of the present period than the decline of partisanship in respect to the work of government, whether in the executive or the legislative field. The time is passed when it was thought the duty of the minority in Congress or a State legislature to fight against the bills of the session simply and solely because they emanated from the party in power. "To vote with the enemy whenever they favour any of the things for which we stand," is the policy that has lately been enunciated by the men high in the councils of both parties. What is more, it is a principle that has been acted on.

At the close of the first session of the Fifty-ninth Congress in June, 1906, President Roosevelt issued a statement congratulating the country on the valuable legislation that had been enacted. The session had, he said, "done more substantial work for good than any other Congress has done at any session since I became familiar with public affairs." He then named eight especial measures as deserving of praise, the railroad rate bill, the meat-inspection bill, the pure-food bill, the free alcohol bill, consular reform, Panama canal legislation, the naturalization bill and joint statehood. It was indeed a record of progressive legislation without equal. And the country as a whole could all the more be congratulated upon it for the reason that only

one of the eight bills even so much as pretended to be a partisan measure.

Four of them, the meat inspection, consular, free alcohol and naturalization bills were passed without roll-call or division in either House or Senate. The rate-bill on its final passage had all the votes from both sides except for seven Republicans in the House, two Democrats and one Republican in the Senate. The Pure Food bill was likewise voted for by all the Democratic senators but three. The type of the Panama canal was fixed by a non-partisan division in the House, no roll being called, while in the Senate, the prevailing side included thirtyfive Republicans and one Democrat, who outvoted ten Republicans and twenty-one Democrats. There remains the joint Statehood bill. That was designed as a straight party measure, but on passage in the House forty-three Republicans voted with the Democrats against it. In the Senate a motion to leave out all mention of Arizona and New Mexico was carried by a combination of twelve Republicans and twenty-five Democrats against a solid Republican opposition of thirty-five. The two houses having disagreed, the bill went to conference, and in its final form included with immediate Statehood for Oklahoma-Indian Territory, the so-called "Foraker amendment," permitting Arizona and New Mexico to vote separately on the acceptance of combined statehood. This clause itself had previously been adopted by the Senate through the union of twenty-three Democrats and nineteen Republicans against the remaining twenty-nine Republicans. Thus on the only one of the measures named by the President upon which party lines were drawn at all, about a third of the majority party regularly voted with the other side. This was emphatically a session in which members of both House and Senate acted as independent men and not as members of any autocratic organization.

The same absence of partisanship has characterized the law-making activities of the several States. When the various legislatures met in 1905 there were, for the first time, probably, in the history of this country, five States with Democratic governors and Republican legislatures. The number was reduced to four by the unseating of Alva Adams in Colorado. Yet the other Democratic governors got along quite as well with their opposition legislatures as the average executives in States where there had been a clean sweep. There was not a deadlock in

any of the States with divided governments. In Missouri, where the Senate was Democratic and the House Republican it was the latter body which gave Governor Folk the more loyal support, especially on the bills to extend the statute of limitations in bribery cases, and to prohibit race-track gambling. In Massachusetts, Governor Douglas actually vetoed fewer bills than any of his Republican predecessors who had dealt with legislatures of their own party faith. The Republican governors of Michigan and Indiana vetoed eleven and seventeen respectively of the bills passed by the Republican legislatures of those States; Governor Johnson of Minnesota, though a Democrat, was able to approve all but one of those passed by his State's Republican legislature. While Governor Toole of Montana vetoed ten bills, only two of these really went through the legislature on a partisan basis.

There is no support in the recent history of this country for the time-worn plea that the election of the "whole ticket" is necessary in order to carry forward any particular piece of good work that may be under way. That argument had its force in the days of factious opposition. To-day, when Democrats and Republicans do not hesitate to vote

together for what they believe to be right, and party "pressure" becomes yearly less potent, it has become an appeal more to prejudice than to reason. As a matter of fact, in such divided governments as have just been considered, the absolute necessity for getting along somehow and attending to their work, often puts both governor and legislators in the best possible spirit for public spirited service. The governor cannot cajole obstinate members by the same means which he could employ if they owed allegiance to the same party powers, while from the other side the governor's own future cannot possibly be in the hands of the legislative leaders with whom he has to deal. Both can give their best thought to the interests of the people.

The convention which nominated Governor Folk of Missouri has already been described. There remains one feature of it which may be touched upon in this connection. That was the work of the Credentials Committee. Any politician will agree that it is the control of the original organization of a convention or a legislative body that counts. For if one's own partisans number one more than those of the other side when the chairman calls the first session to order, it is an

easy matter to unseat enough opponents to create a safe-working majority. It is one of the established rules of the game that contests shall be decided, whenever necessary, in the interests of the side that controls the Committee on Credentials. The Republican and Democratic National Conventions which met a few weeks before the State Convention of Missouri in 1904, had each important contests to decide, the Republicans in regard to La Follette's delegation from Wisconsin and the Democrats in regard to rival delegations from Illinois. It was repeatedly charged and generally believed that the decisions in both instances were based rather upon party expediency than impartial justice. If, now, the Folk men in control of the Missouri convention had overriden their beaten opponents and given themselves the benefit of every disputed point in the make-up of the convention, they would merely have been following the precedents. "Regularity," that distinction beyond all price, would still have been theirs, even if they threw out every contested delegate belonging to the other side. While Mr. Folk's own nomination was conceded, the unseating of the delegations from the other side would have made it possible to nominate for the rest of the ticket candidates in sympathy with him. As it was, many delegates had received instructions simultaneously for Folk and one or another of the candidates for minor offices identified with the old machine. So possession of the seats which Simon pure Folk men were contesting, meant a very real advantage to his cause.

But instead of determining these contests off-hand in the way that interest dictated, the Credentials Committee of that convention sat with only the most necessary intermissions for two days and two nights hearing evidence in the various contests. A stern, whitebearded chairman fairly cowed the weary and impatient crowd that packed the old Senate chamber where the hearings were held. As the night hours dragged on, bats sailed in now and again through the windows to flutter about on uncertain wing. The contesting Folk men had literally barrels of affidavits and other evidence regarding fraud and intimidation at the primaries. "What is your strongest case?" inquired one of the leading men of the Committee. The contestants' representative named one ward. "Very well, we'll hear that." "Now I move," said the same spokesman after the arguments were concluded, "that the Folk delegates be seated from this ward, and the anti-Folk

delegates from every other ward of the City of St. Louis." The Committee was Folk's Committee, the evidence was much more than enough to serve for a pretext, and yet the motion prevailed. "It takes more courage to decide against friends than against enemies," declared another member, as he cast his vote. When the roll of the convention was made up, it showed that out of 159 contested seats, this conscientious committee had given only thirty-three to its own side. A word from Mr. Folk would probably have induced enough of the doubly-instructed delegates to disregard their pledges and reject the undesirable nominees, but he refused to interfere. The ticket selected was not a pure Folk ticket. The people of Missouri who voted for the Circuit Attorney himself, rejected it entire, and the new Democratic Governor was inaugurated in January with a full complement of Republican officials about him. Attorney-General Hadley who conducted the Standard Oil investigation in New York, was one of these Republicans.

It is naturally to be expected that the rank and file will show more response to new political ideals than the old partisan leaders. The typical politician who makes his calling a trade is an opportunist. He works under

conditions as he finds them. In Missouri we have seen how the "old crowd" accepted the verdict of the people in favour of the kind of politics which Folk represented, and followed his lead in giving them that kind. A retrogression in political standards they would have taken advantage of in the same way, though even in "slumps" of this sort it is doubtful if a community ever sinks back quite to the level from which it started.

The voters of Delaware used to employ a homely euphemism to express the difference between the bought and the unbought voter. The one "charged for his vote," the other "voted his sentiments." It will naturally be asked whether the new political standards will apply in any way to the actually venal voter. At the bottom of the scale in any classification of political morality would be placed, of course, those voters who regard their votes virtually as merchandise, which they will sell to anybody for the highest price they can get. There is not much to be hoped from this type under any circumstances, though, as some drunkards reform, so presumably one of these creatures may occasionally respond to the right influences. But just above the absolutely mercenary element in the electorate there exists, especially in the

older States, a stratum in which remains a little more of self-respect. All through the villages and small towns of New England and the middle States are to be found numbers of men who are strong and outspoken supporters of one party or the other, and yet who for years past have not been willing to vote at all unless they were paid for it. It is as strange a condition to the psychologist as to the moralist. These men are not without political convictions of a sort; they would resent as a bribe the offer of money from the other side, yet they have insisted on being recompensed for the time spent in voting at the same rate as for the time spent in the havfield or at the work-bench. Now, as regards men of this type there is at least an interesting possibility.

It is conceded by every one that the next few elections will be conducted with campaign funds very considerably smaller than those expended in the last ten years or more. Committees which were once supplied liberally with funds by corporations of various kinds are now chiefly dependent on the voluntary contributions of the faithful. The Congressional Committees of both parties at the time this sentence is written, are making especial efforts to secure dollar contributions for the canvass of 1906. Yet estimates of the Republican campaign fund of 1896 varied from \$6,000,000 to \$16,500,000 and three-fourths of the entire body of citizens who voted for Roosevelt would have to put in their dollars to approximate even the lesser sum, a proportion not in the least likely to be reached by the public appeals.

So the party managers are left with much less means for the more sordid work of "practical politics" at the very time when, by reason of an awakened national conscience, these methods might be expected to become less effective. Suppose that the half-venal partisans are dropped from the pay-roll for the mere sake of economy, it is not altogether visionary to expect that some of them through shame or genuine conviction may return to the habit of casting their votes for the party they believe in without asking for a dollar. It is hard to believe that every man who has taken money "for his time" on election day will keep away from the polls entirely unless the old gratuity is repeated every year.

Agreements between the party managers of both sides to restrict the spending of money have been characteristic of the 1906 campaign. Such praiseworthy compacts have been reported from widely separated

localities in both the west and the east. In Indiana, nearly two months before election, the Republican and Democratic central committees in fifty-six out of ninety-two counties had signed and filed with the clerks of the several circuit courts agreements not to recognize the purchasable element in any way whatever. Not only did they bind themselves not to buy votes directly, but not to give a man who was known to have sold his vote any position whatever in the campaign or election organization.

The party armies, for a good many years back, have contained a most inordinate proportion of mercenaries. The "legitimate" expenses of campaigning came to include a great many items for services which workers ought to be glad to do for nothing. "The volunteer in politics is dead," wrote a veteran Washington correspondent after a tour of the western States just before the election of 1904. "Workers contract for their time by the hour. Private teams which used to be driven by their owners from town to town on preliminary canvassing tours with no cost to candidates or committees must now be regularly hired as if they belonged to a livery stable. Even the ground on which out-of-door popular gatherings are held often have to be rented,

and of men belonging to the party renting them." In one far western State it was computed that a party would need for "legitimate" expenses alone about a dollar to every voter in the State.

When that sort of thing became the regular rule in politics throughout the country, it could not but be the most powerful discouragement imaginable of genuine enthusiasm and helpfulness among a party's rank and file. The analogy of the mercenary army is an exact one. So long as the work was regularly done by hired men, no one would volunteer to do it out of patriotism. Every dollar that was spent along the lines just indicated must have helped to kill the spirit of willing unselfishness, which can be made as strong in a party as in a club or a college.

Whatever may be true of the actually venal element in our politics, here is a field where there is every reason to anticipate a genuine change in standards. There are already visible signs of such a change.

XIII

HUMDRUM WORK FOR GOOD

"A T least," once said Governor Pennypacker of Pennsylvania, "the laws put on the statute books during my term will parse!"

It was a quaint and characteristic way of expressing the value of some of the hard conscientious work that is put into many a public man's duties without results that the ordinary citizen ever notices.

The late Alexander C. Botkin, chairman of the Commission to Revise the United States Statutes, shortly before the end of that gigantic task expressed his opinion strongly of the results of careless lawmaking. "The statute books have been disfigured," he said, "by slovenly, ambiguous and nugatory provisions to an extent that surprises every one who comes to study the matter." A publishing firm which issued a compilation of the federal statutes a few years ago, encountered the same difficulties without having the power to correct them. "In preparing this compilation," said its preface, "the editors have found a number of amusing proofs that the complexity of bills passed was too much even for members of Congress to unravel. They have come upon amendments to laws that had been repealed, amendments that overlook previous amendments, new laws that reenacted existing and forgotten laws, etc."

The reference here is to laws that in Pennypacker's phrase "would not parse." On one occasion Judge Botkin offered to wager an oyster supper that his two colleagues on the Commission could not find out from the army statutes the legal rate of pay for a cook in the corps of engineers. They hunted for a week and then gave up, when he showed them the passage upon which he had accidentally stumbled. Now the reason why that bit of information was tucked away where no one could find it, was presumably that some hurried legislator in a bygone day had not taken the trouble to straighten out the phraseology or to look up the old statute into which his new provision had been inserted.

There is perhaps no work of equal value which is less appreciated than that which is expended upon the detail work of legislation. It is a favourite device of the party out of power to print booklets of blank paper under the title, "What has Congress done?" or "What has the Legislature done?" Yet at the session

least prolific of general legislation there is a prodigious amount of work to be done merely in providing for the financial needs of the government during the coming fiscal year. There are several hundred miliions of appropriations to be scrutinized at Washington every year. The new member and the drone may have an idle time enough at the Capitol, but the veterans, the trusted and important men, work hard and steadily and for long hours from the day of assembling until the hour when the last presidential pen is presented to some one interested in the bill which it signed.

Merely to keep up with the routine of legislation is a task that becomes increasingly difficult. There were 1,020 House and 560 Senate bills introduced in 1860-1862. In 1903-1905 there were 15,576 House bills and 5,687 Senate bills. About one bill out of nine is destined to pass. Even in the State legislatures the amount and intricacy of legislation becomes appalling. Statistics collected by Don E. Mowry show that in the various legislatures of 1905 the number of bills introduced for consideration varied from 377 in Idaho to 2,134 in California, one-third more in the latter State alone than the whole national legislature had to consider half a century ago.

The reproach of careless legislation is combined with the reproach of unintelligent legislation. While it is one of the supposed advantages of our American state governments that governmental experiments can be tried on a small scale, and for the benefit of all, the States have hitherto profited very little by each other's experiences. And there has been a more positive danger in the fact that our legislative bodies, ill informed in regard to comparative legislation, have too often had to depend for such knowledge as they do possess upon the statements of those who are not disinterested—namely the lobbyists.

At a hearing on an important bill before a Congressional Committee a few years ago, when the representatives of all the "interests" affected favourably or adversely by the pending bill had presented their views, an individual arose in the rear of the room and asked to be heard in his turn. "Whom do you represent?" asked the chairman, and when he answered, "I represent the general public," the whole committee laughed, the notion was so unusual. It is the right, if not the duty, of any individual or corporation to present its views before the legislative body whose action will affect its future. There is no more legitimate occupation than this form

of lobbying. Yet because the people at large have no representatives of this kind, our laws too often represent merely the resultant of the views of rival business interests instead of the welfare of the people as a whole.

Dr. Charles McCarthy expressed the situation so strikingly in a paper read before the last meeting of the American Library Association that his words may be inserted here:

"John Jones comes to the legislature. He is a good citizen, a man of hard sense, well respected in his community. He enters suddenly from the quiet of his native village into a new life. He comes to live in a new community. He is dogged about and worried by office seekers. His old friends and advisers are not around to help him. finds that it is necessary for him to learn the ropes. He finds that if he is to represent his district he must introduce bills, and that he must in some way get those bills through the legislature. He must first of all get those bills drawn, and never having drawn a bill in his life, and not knowing how such things should be done, it is very hard work for him. He is confronted by two thousand bills on two thousand subjects, legal and economic. Complex questions which are not settled by the greatest thinkers to-day are hurled at his head. Even scientific subjects that the chemist or the physician or the man of science have a hard time to deal with must be met by our John Jones, and that in the hurry and rush of committee work and of his efforts to take care of the multitudinous duties placed upon him. If he is honest, he will try to draw his bills himself, or else he pays somebody to do it for him; but the easiest way is to consult somebody else. He finds around him bright men, well-paid lawyers, men of legal standing, who are willing to help him in every way. It is easier to consult these bright men; and often, if he does it, he is lost. It is seldom that he finds a true friend. They are there to look out for their own interests, and John Jones is legitimate prey. To get hold of him is their business. If he is honest, and by some Spartan courage and some sterling honesty fights his way through, pushes his bills on to become laws, those bills having to do often with complex, technical subjects and being drawn by a man unskilled in law, are thrown out by the courts."

One of the needs of the immediate future is everywhere some method by which this same new senator or assemblyman can be kept informed on the subject matter of legislation, without depending on the lobbyist for his facts. Nearly all the States have State Libraries. In New York and some of the older States these libraries turn out a good deal of material on legislative subjects, but Wisconsin has taken the lead in trying a plan very much simpler and less expensive. Some time before the legislature meets, each member receives a letter from the Legislative Reference Department of the Free Library Commission. "If you will inform us of any subjects you wish to investigate," says this letter, "as far as we have the material, time and means we will tell you—

- "I. What States have passed laws on any particular subject.
- "2. Where bills for similar laws are under discussion.
- "3. What bills on any subject have been recently introduced in our legislature.
- "4. Where valuable discussions of any subject may be obtained."

Whatever subject the member names, the material upon it is sent to him at his home, where he has time to go over it, and is already digested. There may be a copy of some pending bill in Illinois, a handful of clippings from the New York papers, a transcript of testi-

mony before a legislative committee in Massachusetts, letters from experts in various parts of the country, and typewritten extracts from whatever books may have been written on the subject in question. The member is no longer at the mercy of the lawyers who may make arguments before the committee. In the minimum of time he has acquainted himself with the main facts and principles of the subject before him.

This "legislative clipping bureau," as it has been called, is maintained at a cost of only \$4,500 a year, and keeps its working material in such compact form that, although all its collections were destroyed in the capitol fire of 1903, it was again in working order in 1904. Not only does its work meet the enthusiastic approval of the members of the Wisconsin legislature itself, but the idea is already spreading. The States of Ohio, Indiana, Nebraska, Washington and California and the city of Baltimore have taken steps to establish similar clearing houses of legislation. California and Indiana have placed in charge of their work former assistants to Dr. McCarthy, the legislative librarian at Wisconsin, whose words on the subject of lobbying have here been quoted, while Nebraska and Baltimore have sent their men to Madison to learn the

methods employed before taking up the work at home.

There is no form of rivalry between the States better deserving of encouragement than that which relates to the quality of their laws. New York's boast of having the best set of insurance laws in the country is a far more proper source of pride to a citizen of the Empire State than the unrivalled total of bank clearings. Wisconsin lays claim in the same way to a model civil service law. Before that measure came up for passage, literally hundreds of copies of the provisional bill were sent by the Legislative Library to experts all over the country, the heads of State departments and the heads of institutions. The faculty of Political Science in the State University worked over the draft, while the secretary of the National Civil Service Reform Association, one of the members of the National Civil Service Commission and one of the veterans of the Civil Service Reform movement came on from Washington, New York and Boston respectively to help with the law in person. That experience at least showed how completely a State, if it so chooses, can avail itself of the best thought and experience of its neighbours. And it was a happy circumstance that, while Governor La Follette signed the new law, one of the legislators who did most to make the law a success was the old leader of the "Stalwarts" in the Senate.

The honest and capable legislator is not confined to any party, to any locality, to any peculiar condition of general rectitude. When two senators like Platt of Connecticut and Cockrell of Missouri were removed from their places, one by death, the other by the turn of politics, there was no partisanship in the regret which their colleagues felt. Men like them, of ripe experience, wide and minute knowledge of the details of legislation, personal probity in which their colleagues trusted absolutely, are more valuable to a legislative body than most outsiders understand. How many times a simple word of objection or a hint from some man of this type has defeated a bad bill which some less scrupulous colleague was planning to slip through quietly no public record tells or can tell.

It is the presence in the very worst legislatures and councils of honest and able men that makes the quick transformation of such bodies possible. Take any instance in which a corrupt legislature or board has been converted into a "reform" body, and it will be surprising to see how few actual replacements have been made. The leaders of the new body will have been members of the old. The only difference is that they had then been overbalanced by the other element.

A public official a few years ago delivered an address eulogizing William M. Tweed, boss of New York in the seventies, who died in jail nearly thirty years ago. It could not be denied, he said in substance, that Tweed and his associates plundered the city most outrageously, corrupted the courts and demoralized the council. Yet with these malign influences there was combined so much of understanding and of far sightedness, that the arch-corruptionist himself laid the foundations for permanent improvements, like the park systems, which would not have come for a generation or might never have come at all, had the city's interests been in the hands of small calibre men.

Of course this estimate of Tweed is not one which the impartial historian accepts, but it does invite attention to the enormous amount of good work that somehow gets itself done under even the worst administrations. The trouble with the majority of public work is not, as so often loosely charged, that it is badly done, but that it is slowly and extravagantly done. In almost any public office will

be found corps of clerks or assistants, working in all probability very much less industriously than would young men in the same line of employment in a bank or a railroad office. But there will also be found here and there the honest, faithful, busy men who, taking their human material as it comes, through all political overturns, through bad and good administrations, keep the machinery at work. They are not known to the outside public; their work is done in the name of their superiors. Often they dread a promotion that would subject them to the accidents of politics and leave them to hunt employment with every new administration.

These men are not reformers, to be sure. They are as likely as not to vote the ticket of the organization which has done most to lower the character of public service. Yet they come as near to being indispensable as any group of citizens that exists.

XIV

THE TREND TOWARDS A PURE DEMOCRACY

ITH the development, or better, resuscitation, of a sound, informed and vigilant public opinion in this country, as manifested in the many victories over privilege in the very recent past, there have been developed new agencies for the expression of that same public opinion. Roger Sherman, who is vouched for by Thomas Jefferson himself as a man who "never said a foolish thing in his life," told the framers of the constitution that "the people immediately should have as little to do as may be about the government. They lack inspiration and are certainly liable to be misled." Some of the chief political movements of to-day are being carried on in absolute reversal of that advice. The people are assuming more direct control than ever before of our public affairs. The referendum, the initiative and the "recall," the suggested "neighbourhood town-meeting," the demand for the popular election of senators, the unprecedented growth of independent voting, and ballot reform, may properly be considered as merely different aspects of a larger tendency, which is bringing this nation even while it grows in size, closer to the conditions of a pure democracy.

The referendum itself, the quintessence of direct popular participation in the government, is as yet a question chiefly for the future. As Frank Foxcroft recently wrote: "It is perfectly safe to predict that in the thirty-five or forty legislatures which will be in session next year advocates of the initiative-referendum will hold the centre of the stage." At the same time hardly more than a fair beginning has been made in introducing the system to this country. The optional referendum, under which a certain proportion of the voters can compel the submission on the ballot of any bill passed by the legislature, has been adopted by South Dakota, Utah, Oregon, Nevada and Montana. gon South Dakota and a number of cities have the initiative, which permits the placing of a particular law on the ballot by petition and makes possible its passage through the referendum without any action of the legislature at all. The woman suffrage provision voted down in Oregon in the spring of 1906

represented the first attempt made in this country to amend a state constitution with no action whatever by the legislature. Illinois, Texas and Delaware have modified, advisory systems of direct legislation. In all the states, however, the practice of submitting new laws to the people by special act, as was done with Wisconsin's new primary law, seems to be becoming more common, while as regards constitutional amendments and questions of taxation, the referendum is already nearly universal in this country. The recall, which permits voters to take an official out of office by a legal process closely analogous to that by which they put him in, first developed in Los Angeles, has been copied only by Seattle and a small group of California cities. We have seen repeated proposals to establish a sort of neighbourhood town-meeting by which city voters might be brought closer to the questions of government affecting their interests, and Newport by adopting a city charter providing for a council of 195 members, is making a similar effort to shorten the gap between the law makers and the people themselves.

The advocates of popular election of United States senators are working to accomplish somewhat the same thing for what has hitherto been the least responsive of legislative bodies to popular sentiment. The House of Representatives has five times passed a resolution for changing the mode of election to the other body, and such a measure has once been reported by a Senate Committee. Moreover, as Professor George H. Haynes records in his recent book on the Election of Senators, thirty-one State legislatures have taken action favouring popular election. Committees of Correspondence on good colonial models have been established, and at the date of this writing preparations are making for a meeting of state representatives in Iowa to discuss ways and means of bringing about the desired change. It has been practically agreed that the first of the authorized methods of amending the Constitution, which involves the assent of the Senate itself. had best be abandoned for the alternative plan, under which two-thirds of the states may require the calling of a constitutional convention to propose amendments, a method which has remained unused since the adoption of the Constitution itself.

It has been frequently pointed out that, while the agitation for the legal election of senators by popular vote has thus far been ineffectual, a good many states have adopted the next best plan by nominating party candidates for every vacant senatorship and trusting that the legislature, when the time comes, will elect the candidate already picked out by the party which has a majority. The Southern States, where the Democratic nomination is equivalent to election, were the first to develop this method, though Nebraska, as long ago as 1875, adopted a constitution permitting the placing of names of senatorial candidates on the official ballot for the later guidance of the legislature. The biographical sketches in the official Congressional Directory give many illustrations of the spread of these systems of virtual popular election. Senator Foster of Louisiana, who properly belongs to the class of senators whose terms expire in 1907, was so certain that the legislature would merely ratify the choice of the Democratic primary, that at the beginning of the 1905 session his biography was made to state, "his term of service will expire March 3, 1913." Legally no 1913 class yet exists at all. Senator Latimer of South Carolina made no mention whatever of the legislature to which he legally owed his seat. "He was elected to the United States Senate," says the Directory, "by 17,700 majority over J. G. Evans." Besides these, there are the

senators, like Dubois, of Idaho, and Hopkins, of Illinois, who were nominated by the state conventions of their respective parties exactly as gubernatorial candidates would have been. Thirty vacancies will occur in the Senate in 1907. Fifteen of these have already been filled at the date of this writing (September, 1906), or will be filled by methods that approximate popular election. Alabama, Arkansas, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Oregon, South Carolina, Tennessee, Texas and Virginia employ the direct primary under either state law or party rule. North Carolina reëlects without a primary a senator chosen originally by direct vote. Idaho, South Dakota and Nebraska will have candidates nominated in convention along with the state tickets, while in New Jersey and doubtless other states campaigns. for the senatorship are so active that most legislative candidates will make pledges upon the senatorship part of their individual platforms. It is not at all visionary to expect, with the laws already enacted and the campaigns for the direct primary now going on in states like Iowa, Washington and Maryland, that within the next ten years, before any popular election amendment could probably be passed, a full half of the Senate will

be virtually chosen by the people in one or the other of the ways here described.

The direct primary and the growth of independent voting are commonly considered separately, but their close logical relation will be seen by a moment's analysis of that boss domination which both are doing their part to cure.

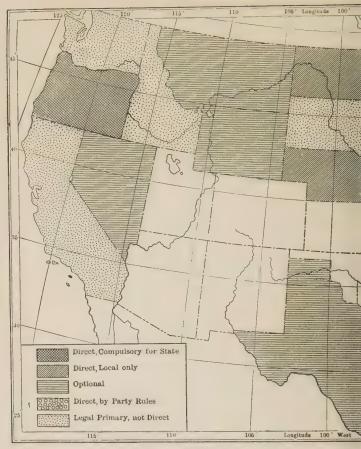
The circle of a boss's power is complete only when he has control over the nomination of candidates and when the body of voters will make a fetish of "regularity," accepting without question, every nomination that bears the requisite party label. Obviously this power is no stronger than its weakest part. If the boss cannot confer nominations within reasonable limits upon whom he will, he has lost his sway, no matter how slavish the members of his party are in voting the straight ticket. On the other hand, the most perfect control of the nominating machinery avails him very little if his people have no scruples against voting the ticket of the other party when he offers a man whom they do not like. We have seen in various places and at various times in this country all degrees of absolutism in our bosses. Individuals among them have been defeated over and over again, sometimes by overriding their will in the making of nominations and sometimes by a secession of their followers to the other party. It has been an axiom of the politicians that two such defeats seldom or never come in succession. But in the last few years signs have developed of a decided weakening of the boss's power at both of the points here discussed. Because the weakening seems to be in its very essentials there is unusual ground for hope that it may be lasting.

It is through the direct primary, of course, that the people are assuming control over the making of party nominations. And one singular fact about the spread of this reform in the North has been its adoption by state after state practically before it has been tested. La Follette's proposal to have United States senators nominated in the primary was criticised as dangerous and almost revolutionary no longer ago than 1902. That feature of the Wisconsin law will not be tried till 1908, yet the next two states to pass primary laws, Illinois and Oregon, both adopted it on faith. The direct primary is, indeed, a splendid example of the way in which an idea can prevail in this country on purely theoretical grounds. A few States were willing to take the risk of an experiment with the new plan,

vet their neighbours, convinced that it is intrinsically right, have followed on without waiting to see how the experiments turn out. But while the direct primary idea has now been accepted over the greater part of the country, there has not been perfect satisfaction in working out its details. The question of separating the voters into parties for the purpose of nominating is still puzzling. Whether the citizen is allowed to vote in the primary of any party he pleases, or is required to announce his party allegiance beforehand, members of one party will sometimes "pack the other's caucuses" just as they did under the older and looser system. There is also some uncertainty as to nominations by a mere plurality. But in exchange for those incidental difficulties and some additional expense the direct primary puts an end to the old-fashioned "stampedes" of conventions, the trumping up of contests and the grosser forms of chicanery, besides bringing out to participate in nominations, according to estimates in different localities, from two to ten times as many voters as was usual under the old system, an achievement alone worth all the trouble that it has cost.

In the annexed map are shown graphically the localities having the direct primary,





PRIMARY LAWS

Since no two States have primary laws exactly alike, this class first class includes the States which nominate all candidates by d which nominate thus for certain offices only. The third, those organizations have created direct primary systems without at those in which nominating conventions are still held, but the actual election. As regards the direct nomination feature, thave made practically no use of the right, while others from information furnished by Dr. Charles McCarthy, Lit



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ton necessarily takes into account only the main characteristics. The vote, holding no State conventions at all. The second includes those hich direct nominations are optional. In the fourth class the party by the legislative authority. The States in the last group are e of delegates is safeguarded by law in the same manner as the ates classed as "optional" vary greatly. Some, like New York, wirtually discontinued conventions. This map is compiled chiefly n of the Legislative Reference Library at Madison, Wisconsin.



compulsory or optional, for state or local offices, whether by law or party rule, together with those which have the legalized but not the direct primary for the choice of delegates.

All party nominations, however, depend for their peculiar value on the number of people who will vote them regardless of personal preferences. If such people did not make up the rank and file of parties, and a candidate had to throw himself on the mercy of citizens who considered his case individually and compared him with his several opponents, he might almost as well run as an out and out independent, having his name put on the ballot by petition, like Mr. Jerome's. "I have no patience," declared Mr. Hanna, "with the man who bolts his party because he is not satisfied with the candidate."

That is the feeling against which independent voting everywhere has had to contend, yet that the independents do hold the balance of power in this country is sufficiently shown by the fact that our elections do not always result the same way. If every voter accepted the politicians' theory they would. Only an epidemic to which membership in one party conferred immunity could ever make a state or a city Democratic one year and Republican the next. It is difficult to

determine the exact amount of independent voting, however, and one reason for this is that the term is used in two different senses. It may mean that voters shift from one side to the other between elections, or that they exercise discrimination between candidates of the same party at a given election. Generally speaking, those who are independent in the one sense ought to be in the other, but this is not invariably the case in practice.

If we are to choose one of these definitions for the purpose of gauging the actual amount of independent voting during a series of years, the discrimination between candidates gives much the fairer criterion. If the attempt be made to calculate the shift of votes between elections the "stay at home" vote presents an immediate complication. Mr. Roosevelt's tremendous plurality in 1904, for instance, was not due to the Democrats who for once voted the Republican ticket, but to the Democrats who did not vote at all. There were really about three Democratic deserters to one Republican recruit and the total vote in the year of this unprecedented victory was actually smaller than in either of the elections since 1892.

The degree of discrimination between candidates for different offices, however, can be computed with a fair degree of accuracy. This is, in another form, simply the question how far a popular candidate runs "ahead of his ticket." If every voter accepted the politician's theory no candidate would ever run ahead of his ticket. As it is, the practice of ticket splitting constitutes a most effective veto upon distasteful nominations. Its prevalence is the inverse measure of a bad candidate's chance of being "pulled through" by the good nominees of the same party. So the spirit of intelligent independence deserves to be encouraged no more by the theorist than by the strong partisan who believes in making his party maintain a high standard for the men it puts into office.

Now, while willingness to change from one party to the other has always been a characteristic of the American electorate, this discrimination between the several candidates of the same party has had a sudden and striking growth only within the last few years.

The simplest way to demonstrate this will be to determine the proportion of voters who at each election have made opposite decisions upon state and national issues, preferring a president of one party and a governor of the other. The calculation is rather a complicated one and need not be recapitulated here. It is necessary to leave out entirely those southern states in which there is practically no opposition party, to make proper allowance for the numerous instances of fusion between one of the great parties and the Populist or other minor party, and finally to make separate calculations for the group of states in which a given party's state candidates ran ahead of the national and the group in which they ran behind. The final results, however, can be stated in extremely simple terms.

In 1896 the net proportion of persons who voted for one party's candidate for president and the other's for governor, the country over, was only .38 of one per cent.

In 1900, the corresponding figure was 1.22 per cent.

In 1904 it was 7.57 per cent.

That is to say, the voters of this country manifested at the last presidential election more than six times as much discrimination, as they had four years previous, and more than nineteen times as much as at the election before that.

So much for the general average. In particular states, the record went far above these figures. If, in each state, whether it elected a governor or not, we compare the vote of

the party's candidate who ran best with the one who ran worst, we find ten states in which the degree of discrimination was ten per cent. or over. These were Minnesota. 31.07 per cent., Washington 22.63 per cent., Montana, 18.38 per cent., Michigan, 17.01 per cent., Kansas, 16.51 per cent., Massachusetts, 15.00 per cent., Nevada, 14.27 per cent., Wisconsin, 12.99 per cent., Rhode Island, 11.87 per cent., and Wyoming 10.34 per cent. In all the previous presidential elections a study of the returns discovers only one instance above ten per cent. After the election returns were completed in 1904, a Minnesota Republican resented rather hotly the assertion that his state had made the highest record in the Union for independent voting. "That wasn't independent voting," he exclaimed. "It was merely that they wanted a Swede for governor." But even granting his point, the essential fact is that some seventy-five thousand Minnesotans did not allow their desire for a Swede governor to interfere with their desire for Roosevelt as president. Lincoln Steffens explained the election of the notorious "Doc" Ames as Mayor of Minneapolis on the ground that "The great American people cannot be trusted to scratch a ticket." Yet that same

city, in 1904, two years after he wrote, went far beyond even the record breaking State in the extent of its ticket scratching, having forty-nine per cent. to thirty-one per cent. in the State as a whole. On the same ballot it gave Republican presidential electors 22,000 plurality, a Democratic governor 11,000 and a Republican mayor 200 plurality, the last candidate being the very man who as acting mayor had been at the head of the municipal housecleaning after Ames ran away in 1902. If any one objects to the word "independence" let him simply say that these figures represent the limits which voters set on their responsibility for putting through the entire ticket of the party in the principles of which they believe. Local elections, for instance, are no longer regarded as "straws" to forecast the state or national result.

Manifestly, then, whether it be a good thing or not, the tether of partisanship has been greatly lengthened. Men are less willing to accept the voucher of the party organization at its face value. The process which the average citizen goes through before election day has become more complicated. Instead of merely deciding, "Shall I support the Republican or the Democratic ticket?" he has begun asking himself as

well, "Are there any of that party's nominees who do not deserve my support?" There is less response to the old demand for presidential year regularity.

But this growth of independent voting in itself ought to focus attention on the mechanism of voting. "The Australian ballot" still covers a multitude of tricks and hampering devices. It is stated in many of the political hand books that all but three of our states have adopted "ballot reform laws." But the reform which was sought at the time of the general movement of the early nineties was merely the securing of a secret ballot furnished by the state and cast under legal safeguards. The reform of our ballots in such a way as to secure a really free expression from the voters, as we have already secured a fair count, has been only begun.

In view of the facts it is surprising how general is the belief that the ballots used in all parts of the country are much the same and that even if they were not this would be a matter of very little moment. Among the humours of the 1905 municipal campaign in New York were letters from residents of other states protesting that the instructions published for splitting a ticket in Jerome's behalf were all wrong. The statutes of Pennsyl-

vania and other states with totally different ballots were gravely cited to prove that the marking of a single cross was not the proper way to vote for the Independent district attorney. Really a classification of the ballots in use in this country, if it concerned itself with all their multifarious features, emblems and their absence, position of the marking space, rules for marking and the like, would scarcely leave any two under the same caption. But with reference to the relative ease of independent voting the whole forty-five may be embraced in four main groups.

The official ballot may be a narrow strip or a blanket sheet: it may have the candidates' names arranged in party columns or in groups by offices, but the vital consideration, in this connection, is whether there is a series of "party circles" or its equivalent and if so, whether the party circles are for the exclusive use of the man who "votes her straight," or may be marked by the split ticket man as well.

To illustrate, suppose that at a certain election, ten elective positions are to be filled. Peter and Paul go to the polls together, Peter intending to vote for ten Republicans, while Paul prefers nine Republicans and one Democrat. If they live in Massachusetts they must

each mark the names of their chosen candidates separately and are on an exact equality with ten crosses apiece. If they live in New York, they each make one mark in the Republican party circle, while Paul thereafter makes a second mark opposite the name of his chosen Democrat. If they live in Michigan, Paul, besides his extra mark, has to draw a line through the name of the Republican nominee for the same office, which is, after all a very simple and natural thing for him to do. If they live in Indiana, Peter makes his single mark in the Republican circle as before, but Paul this time is not allowed to do so. He must mark his nine Republicans and one Democrat separately. If they live in Missouri, finally, both Peter and Paul select the Republican ballot from a bundle of separate strips handed them at the polls, and Paul, scratching out one name, writes in that of his Democrat, while Peter deposits his slip unaltered.

It is not much trouble to vote in any case. And yet, as this hypothetical case shows, while some states put the straight party men and the independent on a perfect equality, others impose double the mechanical effort, such as it is, on the latter, and states of still a third class give him actually ten times as

much marking to do. Yet it is one of the most familiar of assertions that the straight ticket circle is merely a convenience, the majority want to vote straight tickets anyhow, and the slight handicap does not in reality discourage independent voting.

Let us see how much truth there is in this belittling argument. We have already stated the actual amount of discrimination in voting by means of percentage figures. It is only necessary now to compare class with class according to the distinction just made.

There are four states where, in the hypothetical election, Paul would be put to ten times as much trouble as Peter. The average range of discrimination in voting in these states was in 1904, 4.85 per cent. There are thirteen states where Paul would be put to twice as much trouble as Peter. In these the average of discrimination was 7.91 per cent. There were five states where Peter and Paul would make the same number of marks, and in these the average of discrimination was 18.11 per cent., more than thrice that in the first group.

It may be added that a comparison shows precisely the same result if the presidential vote be eliminated and the comparison be made by state tickets alone, or if the candidates for governor be also eliminated and only minor state offices be considered. This last comparison gives, in a way, the fairest test of all, for, though the personality of a few popular candidates for the important office of governor might greatly swell the apparent amount of independent voting by the former comparisons, no such factors would affect the returns for state treasurers, auditors, dairy and food commissioners and the like.

It is not a theory, therefore, but a demonstrable fact, that the form of the ballot affects powerfully the result of our elections. It seems to be true that our people go to the polls with some of their preferences as regards candidates so slight that if the ballot puts obstacles in the way they will sacrifice them. Of the ten capital instances given above for independent voting as regards presidential and gubernatorial candidates, five were registered under ballot laws which required the marking of every candidate voted under all circumstances and eliminated the customary premium on straight ticket voting.

To give the people opportunity to express their will directly upon specific matters of legislation, to give them the control over nominations so long exercised by the bosses, to encourage them in disregarding those nominations when they prove unfit, to give them ballot laws which will put as little obstacle as possible in the way of this new spirit of independence—these are not political panaceas, but merely simpler methods for enabling public sentiment to make itself felt. Some of them now, in their experimental stages, are working very much better than others. All of them are rather worse than useless unless the citizens continue to use their new opportunities.

XV

THE MORAL WAVE AND THE AVERAGE MAN

THE most striking result of the insurance inquiry in my opinion," said Charles E. Hughes, counsel to the Armstrong Committee of New York, in his address before the Society for Ethical Culture, "is its vindication of the sound moral sense of the people. . . . has come to the ordinary man in the street out of the investigation a truer sense of values. Of late the man who earns his bread by honest toil walks with a new dignity, if he has nothing to conceal, nothing to fear. The uncertainty of the rewards of dishonour stand out in bold relief." "The benefit of a crusade against crimes of this nature (bribery)," says Governor Folk of Missouri, "cannot be measured by the number of men in stripes. The awakening of the public conscience to the necessity of stamping out offenses that strike at the heart of free government was the main thing accomplished."

This country had an unexampled succession of revelations regarding political and busi-

ness methods, together with a series of successful campaigns conducted upon what are fundamentally moral issues. If the result of all this has been a real "bracing" of the average American, making him a little more scrupulous in his own dealings, and giving him a little stronger sense of personal responsibility, then this is an achievement incomparably more important than the jailing of a few rascals, the replacement of a few bad officials by good officials, and the writing of a few model laws upon the statute books. Not only are the implications of such a new standard almost infinite, but it furnishes the only reasonable hope of permanent results from the good work that has already been done. So it is worth inquiring what evidence there may be for the notion that in undertaking to eradicate certain conspicuous evils in politics and business, the American people have really made a beginning at purifying themselves.

The first evidence is found in the fact, stated so often and on such good authority as to deserve judicial notice, that business men, although naturally so greatly in fear of anything "unsettling," have given support to the work of "cleaning up" in the past two years. If they have not coöperated unani-

mously or whole-heartedly, they have at least done more than any of the men in the front of these fights ever expected. Surprisingly little heed has been given to the familiar cry that the good work was "hurting business." "I have profited for years by these very practices," said a western manufacturer when the campaign against railroad rebates came to a head in his state, "but I say 'Go ahead." It may be overstatement to call such men "typical" of this period of militant reform, but at least they have not been altogether exceptional.

It is not necessary to depend upon mere conjecture or general impressions, however, for proof that the awakening of the nation's moral sense is something more than a dream of sentimentalists. There are data of the most concrete sort by which the same conditions may be demonstrated. Supposing that there has been such a thing as this moral wave over the country, we should expect its effects to be apparent from about the beginning of the year 1905. There had been, of course, a considerable period during which signs of the coming upheaval could be noted, but that year, as the preceding chapters have shown, represented the culmination of the general movement,

There are two practical barometers of national honesty from which we may take readings for comparison, before and after. One is the "conscience fund" as maintained by the national, state and local governments, and the other the record of bonded employees as reflected in the tables for the various fidelity companies.

"Conscience money" includes not only money restored to the public authorities from whom it was dishonestly obtained or withheld, but also sums owed to private individuals who perhaps cannot be found. The debtor, at the promptings of the still, small voice, turns the money over to the public treasury, rather than enjoy it undeservingly himself. Thus, besides such recorded cases as that of the man who drove from Canada into the United States without stopping at a custom house, and afterwards sent to Washington the amount of duty, first on the horse, then on the buggy, and finally on the harness, such items are met as the twenty-five cents mailed to the Commonwealth of Massachusetts with a note saying that it was "for apples taken off your property before I found Christ." While the majority of conscience contributions are received without a syllable of explanation, a good proportion of them are undoubtedly made as restitution for some private wrong and not fraud against the government itself. Among the payments accounted for during 1905 was one of several thousand dollars from a contractor who wrote that he was returning "an overcharge for city work." Another restored "fourfold" money of which he had "defrauded the government" in some manner not stated. A single dollar came into the United States treasury marked, "on bill forty-five years old, right party cannot be found." A woman forwarded a one-cent stamp "for having sent a letter with only a one-cent stamp on it without knowing I was doing wrong." Thus the returns evidently embrace rather a wide range of individual consciences.

The conscience fund at Washington, which is really only an item of miscellaneous receipts, dates back to the year 1811, when the first anonymous contribution was sent to President Madison. It amounts now to about a half million of dollars and in a year there may be noted hundreds of separate items, large and small. With this national fund there are combined for the following table the corresponding receipts for the three largest states and the three largest cities. The first column shows the totals for a period

of ten years. The second includes roughly the accessions of the year 1905 and the first three months of 1906. Different methods of bookkeeping render it impossible to make the division at exactly the same point for all the states and cities. Here then are the figures for this species of *ex post facto* honesty:

Ten	year period	1905+
United States Treasury,	\$118,452.97	\$25,741.86
New York State,	733-49	20.00
Pennsylvania,	1,623.50	000.00
Illinois,	60.00	60.00
New York City,	11,431.24	154.06
Chicago,	72.50	7.50
Philadelphia,	1,427.75	1,302.00
Total,	133,801.45	27,285.42
Total, 1896–1904,	106,516.03	
Average for nine years,	11,285.42	

So we find that out of about \$134,000 of ill-gotten gains restored through the conscience funds in ten years, more than \$27,000 came within this remarkable period of a little more than a year. It is two and one quarter times as much as the average for the nine years previous.

It is the rule nowadays for employees in positions of trust to be bonded not by individuals but by companies which make this a

regular business. The records of these fidelity companies, which in this way insure against dishonesty, furnish as reliable a criterion of the faithfulness of bonded employees, as the records of the fire insurance companies would of the frequency and destructiveness of fires. The fidelity business is young, and increasing at a very rapid rate so that its reports year by year touch upon the transactions of a larger number of individuals, and thus become more fairly representative of general standards. The face value of the fidelity bonds outstanding in seven of the leading companies is now over one billion dollars. They cover men in all parts of the country, of all ages, \$10,000 men and \$900 men, tellers, cashiers in banks. stores and factories, in fact men in almost all imaginable capacities where personal honesty is a requisite.

To find out whether there has really been any change for better or worse in the standard of faithfulness among this class of men, it is only necessary to find for each year the ratio between the amount at risk and the total losses. In the year 1896, for instance, the leading companies had outstanding fidelity bonds to the total amount of \$282,085,211 and their aggregate losses by reason

of defalcations and bonds otherwise forfeited were \$393,349. This made an average of \$139 upon every \$100,000 bond, and this proportion may be used as a standard of comparison with the subsequent years.

The following table is made up from the reports of seven leading companies, not all of which did business throughout the tenyear period. It should be explained that it has not been possible in all cases to separate the fidelity accounts from other lines of business done by the same companies, though the largest concerns have kindly done so. The table therefore includes a small amount of surety bonds. Since somewhat the same "moral hazard" enters into the execution of a contract as into the honest performance of a cashier's duties, this should affect very little, if at all, the conclusions from the figures. Some of the companies have furnished figures for losses "incurred" and others for losses "paid" but this item is uniform for a given company throughout. Here are the figures:

FIDELITY BONDS

			Losses per
	Risks	Losses	\$100,000
1896	\$282,085,211	\$393,349	\$139
1897	321,319,095	548,091	170
1898	360,989,156	581,346	161

1899	441,905,606	690,540	156
1900	504,176,809	657,427	130
1901	529,541,479	976,209	184
1902	592,526,582	687,249	117
1903	626, 343, 847	805,067	128
1904	733,477,327	1,068,112	145
1905	1,216,970,451	1,380,157	110

For the nine years, 1896-1904, inclusive, there was an average loss of \$147 a year for every \$100,000 at risk upon a fidelity bond; in 1905 the corresponding loss was only \$110. Not only is this the lowest figure for any year, but a comparison by groups of years shows the improvement almost as strikingly. Thus in the three years 1903-05, average losses were \$127, as against \$144 for 1900-02, and \$149 for 1897-99. In the four years 1902-05 losses of \$125 are to be contrasted with losses of \$156 during 1898-01. Divide the past decade into two five year periods, even, and the proportionate losses in the first are \$151 as against \$136 for the second.

Whatever the explanation, then, these facts are established: Efforts at restitution through the conscience fund have more than doubled, and the waste through personal dishonesty, as checked by the bonding companies, has been cut down by a clear twenty-five per cent, since 1904, which was the year when the

"moral upheaval" began. It is even possible to follow the results of the national "toning up" into some curious side-paths. It may seem extravagant to trace any connection between the insurance investigations, Mr. Jerome's victory, or La Follette's fight upon the railroads and that typical form of thoughtless petty dishonesty, the pilfering of hotel spoons for "souvenirs." Yet letters from the managers of several of the best known hotels in this country state that this amiable practice has been noticeably on the decline of late.

The sin of shirking is tenfold more costly and destructive than outright graft. If an occasional individual who was formerly venal in politics and dishonest in business has ceased to be so, is it fantastic to suppose that many other men who would never have crossed the criminal line in any event, are also looking after their duties a trifle better? Mr. Clinton Rogers Woodruff of the National Municipal League has told a story which deserves to be repeated in this connection. Shortly after Mayor Weaver's declaration of war against the machine in Philadelphia. Mr. Woodruff met a county official, a man in charge of a considerable force of clerks employed at routine work, and remarked on his unusually healthy and robust appearance. "In the old days," the official replied, "I had to do myself pretty much all the work that was done at all in my office. Now that my subordinates attend to their duties, it has relieved me so much I have gained nineteen pounds weight!" There was a substantial result of reform.

It may be said that these clerks were frightened into their unwonted efficiency by the knowledge that their tenure was henceforth to depend on their own work. Yet few will deny that another element entered into the situation, too, and that part of the stimulus came from within.

Washington correspondents have called attention to the fact that more letters from constituents relating to the details of legislation have poured into the capital this year than at any previous session within the memory of present lawmakers. One senator has stated on the floor that in a month he had received five hundred telegrams relating to one piece of public business, the Smoot case. It is probably true that such bombardments are deliberately inspired by organizations interested in legislation to a greater extent than formerly. Yet it would not be possible to evoke five hundred prepaid telegrams in a

single month unless the people were already exceptionally alert and interested in the progress of events at Washington.

All the facts at our command, then, support the same conclusion. The support given to the recent reforms by business men, the conscience fund, the statistics of the bond ing companies, down to the stolen spoons and the constituents' letters reveal the animating spirit of this remarkable period. On however small a scale—and the conscience restitutions look ridiculous enough by comparison with some corporate stealings—they show a tendency which may work itself out in business as in political improvements. There is more than a grain of truth in "Mr. Dooley's" paradox that, instead of electing business men to purify politics, we ought to set politicians at work to reform business.



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